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THE STATE OF OHIO.

GENERAL AND LOCAL LAWS

AND

JOINT RESOLUTIONS,

PASSED BY THE

SIXTY-SIXTH GENERAL ASSEMBLY

AT ITS REGULAR SESSION,

Begun and held in the City of Columbus, January 7, 1884.

VOLUME LXXXI.

COLUMBUS:
G. J. BRAND & CO., STATE PRINTERS.
1884.

GENERAL LAWS.

[Senate Bill No. 10.]

AN ACT

Making partial appropriations for Longview asylum for the fiscal year 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any moneys in the state treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of thirty-eight thousand dollars ($38,000), the same for the care and support of the insane of the state in Longview asylum, said appropriation to be deducted by the auditor of state in computing the amount of which Longview asylum would be entitled to for the current year, as provided in section 750, revised statutes.

SEC. 2. This act shall be in force and take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed January 18, 1884.

[House Bill No. 15.]

AN ACT

To change the time for holding the first term of the court of common pleas in the county of Putnam, for the year 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time for holding the first term of the court of common pleas in and for the county of Putnam, for the year 1884, as fixed by the judges of the third judicial district, be and the same is hereby changed, and that said term shall be held on the twenty-fifth day of February, 1884, instead of the eighteenth day of February, 1884, as fixed by said judges.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed January 23, 1884.

[Senate Bill No. 30.]

AN ACT

To provide for a deficiency caused by the publication of the constitutional amendments.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, not otherwise appropriated, the sum of forty-six thousand dollars ($46,000.00), to pay for the publication of the constitutional amendments provided for by the act passed April 5, 1883, O. L. pp. 95 and 96. The same shall be paid in accordance with section five of said act, except that the vouchers therein named shall also be approved by the commissioners of public printing before the auditor shall draw his warrant for the same.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed January 26, 1884.

[Senate Bill No. 22.]

AN ACT

Making appropriations to pay the principal and interest of the public funded debt, interest on the irreducible debt, and the expenses of the commissioners of the sinking fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money that may be in the treasury, or that may come into the treasury, belonging to the sinking fund, the following sums for the purposes herein named:

For payment principal funded debt. For the payment of the principal of the funded debt due July 1, 1884, three hundred and fifty thousand dollars ($350,000.00).

Interest on funded debt. For the interest on the funded debt, two hundred and twenty thousand, seven hundred and fifty-one dollars ($220,751.00), or so much thereof as may be necessary to pay the interest falling due July 1, 1884, and January 1, 1885.

Interest on irreducible debt. For the interest on the irreducible debt of the state, which constitutes the school, ministerial, Ohio university, and Ohio state university, two hundred and sixty-five thousand and nineteen dollars and eighty cents ($265,019.80), or so much as may be necessary to pay interest thereon.

For the payment of the expenses of the commissioners of the sinking fund, including salary of the clerk, two thousand dollars ($2,000.00). Expenses of commissioners sinking fund.

SEC. 2. This act shall take effect and be in force from and after its passage.

D. MARSH,
Speaker the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed January 31, 1884.

[Senate Bill No. 21.]

AN ACT

Making appropriations for the support of the common schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any moneys raised or accruing in the state treasury for the support of the common schools, one million, six hundred and twelve thousand and three hundred dollars ($1,612,300.00), or so much as may come into the treasury for that purpose, to be distributed and paid in the manner provided by law.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed January 31, 1884.

[House Bill No. 47.]

AN ACT

Making partial appropriations for the benevolent, penal and correctory institutions of the state, and other several departments of the state government for the last three quarters of the fiscal year, ending November 15, 1884, and the first quarter of the fiscal year ending February 15, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums of money for the purposes herein named, to wit:

Athens Asylum for Insane:

Current expenses, thirty thousand dollars ($30,000).
Officers' salaries, twelve hundred and seventy-five dollars ($1,275).
Ordinary repairs, one thousand dollars ($1,000).
Expenses of trustees, fifty dollars ($50).

Cleveland Asylum for Insane:

Current expenses, thirty-five thousand dollars ($35,000).
Officers' salaries, twelve hundred and seventy-five dollars and eighteen cents ($1,275.18).
Ordinary repairs, fifteen hundred dollars ($1,500).

Columbus Asylum for Insane:

Current expenses, forty-three thousand dollars ($43,000).
Officers' salaries, fourteen hundred and fifty dollars ($1,450).
Ordinary repairs, nine hundred and ten dollars and eighty-one cents ($910.81).
Expenses of trustees, fifty-one dollars and seventy-five cents ($51.75).

Deaf and Dumb Asylum

Current expenses, fifteen thousand dollars ($15,000).
Salaries of officers and teachers, fifty-two hundred and fifty dollars ($5,250).
Expenses of trustees, ninety dollars ($90).
Ordinary repairs, eleven hundred and twenty-five dollars ($1,125).
Furniture and repairing dining-room, seventy-five dollars ($75).
Foreman of shoe-shop and supplies three hundred and seventy-five dollars ($375).
Foreman of printing office and supplies, two hundred and twenty-five dollars ($225).
Foreman of carpenter shop and supplies, three hundred and fifty dollars ($350).

Dayton Asylum for Insane:

Current expenses, twenty-five thousand seven hundred and fifty dollars ($25,750).
Officers' salaries, eleven hundred dollars ($1,100).
Ordinary repairs, twelve hundred and fifty dollars ($1,250).
Expenses of trustees, fifty dollars ($50).

Blind Asylum:

Current expenses, ten thousand dollars ($10,000).
Salaries of officers and teachers, thirty-four hundred dollars ($3,400).
Expenses of trustees, one hundred and forty dollars ($140).

Imbecile Asylum:

Current expenses, twenty-two thousand five hundred dollars ($22,500).

Ordinary repairs, one thousand seven hundred dollars ($1,700).

Salaries of officers and teachers, three thousand three hundred and twenty-five dollars ($3,325).

Expenses of trustees, one hundred and seventy-five dollars ($175).

Lucas County Insane Asylum:

Care of insane, five thousand two hundred and sixty-five dollars ($5,265).

Soldiers' and Sailors' Orphans' Home:

Current expenses, twenty-three thousand four hundred and sixty dollars ($23,460).

Salaries of officers and teachers, four thousand three hundred and fifty dollars ($4,350).

Ordinary repairs, one thousand dollars ($1,000).

Expenses of trustees, seventy-five dollars ($75).

Support of orphans outside, two thousand two hundred and fifty dollars ($2,250).

Ohio Penitentiary:

Current expenses, twenty-seven thousand dollars ($27,000).

Salaries of guards, fifteen thousand six hundred dollars ($15,600).

Salaries of officers, three thousand nine hundred and twenty-five dollars. ($3,925).

Expenses of directors, five hundred dollars ($500).

Prosecution and transportation of convicts, as per sections 759, 761, and 7334 to 7337, inclusive, thirty thousand dollars ($30,000).

Manufacture of gas, four thousand two hundred dollars ($4,200).

Rewards to convicts, one thousand one hundred and sixty dollars ($1,160).

Repairs, two thousand dollars ($2,000).

Carpets, seventy five dollars ($75).

Girls' Industrial Home:

Current expenses, seventy-five hundred dollars ($7,500).

Salaries, thirty-seven hundred and seventy-eight dollars and seventy-five cents ($3,778.75).

Expense of trustees, two hundred dollars ($200).

Reform Farm for Boys:

Current expenses, six thousand two hundred and fifty dollars ($6,250).

Salaries, five thousand three hundred and seventy-five dollars ($5,375).

Repairs, seven hundred and fifty dollars ($750).

Expenses of trustees, fifty dollars ($50).

Board of State Charities:

Expenses of board, eight hundred and seventy-five dollars ($875).

Ohio State University:

Ordinary repairs, six hundred and twenty-five dollars ($625).

Improvement to campus, two hundred and fifty dollars ($250).

Expenses of trustees, one hundred and twelve dollars and fifty cents ($112.50).

Agricultural experimental station, twelve hundred and fifty dollars ($1,250).

Meteorological bureau, expenses of, five hundred dollars ($500).

Extension and distribution of weather signals, two hundred and fifty dollars ($250).

Toledo House of Refuge:

Care of boys under contract, fifty-two hundred dollars ($5,200).

Adjutant-General's Department:

Salary of adjutant-general, five hundred dollars ($500).

Salary of assistant adjutant-general, three hundred and seventy-five dollars ($375).

Salary of chief clerk, three hundred and fifty dollars ($350).

Salary of superintendent state arsenal, three hundred dollars ($300).

Transcribing clerks, twelve hundred dollars ($1,200); Provided, that each of said transcribing clerks shall be paid at the rate of four dollars ($4.00) per day for labor actually performed, to be paid on the certificate of the adjutant-general after the services have been rendered.

State House and Grounds:

Superintendent of laborers, two hundred and twenty-five dollars ($225).

Engineer, three hundred dollars ($300).

Two firemen, four hundred and fifty dollars ($450).

Four regular laborers, one hundred and twenty-two dollars ($122).

Janitor flag-room, one hundred and eighty dollars ($180).

Visitors' attendant, one hundred and eighty dollars ($180).

Day policeman, one hundred and eighty dollars ($180).

Night policeman, three hundred and ninety-one dollars and fifteen cents ($391.15).

Fuel, two thousand dollars ($2,000).
Repairs heating apparatus, six hundred dollars ($600).
Water rent, one thousand dollars ($1,000).
Material and repairs, two thousand dollars ($2,000).

Agricultural Department:

Encouragement of, twenty-three hundred and seventy-two dollars and ninety-two cents ($2,372.92).
Contingent expenses, two hundred dollars ($200).

Auditor of State's Department:

Contingent expenses, three hundred and seventy-five dollars ($375).
Salary of auditor, seven hundred and fifty dollars ($750).
Salary of chief clerk, five hundred dollars ($500).
Salary of book-keeper, four hundred dollars ($400).
Salary of railroad and bank clerk, three hundred and seventy-five dollars ($375).
Salary of land clerk, three hundred and seventy-five dollars ($375).
Salary of canal and trust fund clerk, three hundred and fifty dollars ($350).
Salary of statistical clerk, three hundred dollars ($300).
For extra clerical service, one hundred and sixty-six dollars ($166).

Attorney-General's Department:

Salary of attorney-general, three hundred and seventy-five dollars ($375).
Salary of clerk, two hundred and fifty dollars ($250).
Contingent expenses, seventy-five dollars ($75).
Attorney's fees on collections, one hundred dollars ($100).

School Commissioner's Department:

Contingent expenses, one hundred and twenty-five dollars ($125).
Salary of commissioner, five hundred dollars ($500).
Salary of first clerk, four hundred and thirty-seven dollars and fifty cents ($437.50).
Salary of second clerk, three hundred dollars ($300)
Traveling expenses, one hundred and fifty dollars ($150).
Boxing and shipping reports, twenty-five dollars ($25).

Railroad Commissioner's Department:

Contingent expenses, including expenses outside, one hundred and twelve dollars and fifty cents ($112.50).
Salary of commissioner, five hundred dollars ($500).
Salary of clerk, three hundred dollars ($300).
Experts to examine bridges, five hundred dollars ($500).

Executive Department:

Contingent expenses, eight hundred and forty-seven dollars and eighty-seven cents ($847.87).
Salary of governor, one thousand dollars ($1,000).
Salary of lieutenant-governor, four hundred dollars ($400).
Salary of executive clerk, three hundred and seventy-five dollars ($375).
Salary of private secretary, two hundred dollars ($200).

Insurance Department:

Contingent expenses, three hundred dollars ($300).
Salary of superintendent, five hundred dollars ($500).
Salary of chief clerk, three hundred and seventy-five dollars ($375).
Salary of book-keeper, three hundred dollars ($300).
Salary of corresponding clerk, two hundred and fifty dollars ($250)
Salary of mailing clerk, two hundred dollars ($200).
Actuary clerk, two hundred and fifty dollars ($250).
Salary of extra clerks, three hundred and seventy-four dollars and seventy-six cents ($374.76).

Bureau of Labor Statistics:

Contingent expenses, two hundred and fifty dollars ($250).
Salary of commissioner, five hundred dollars ($500).

Judiciary:

Salaries of supreme. superior and common pleas judges, forty nine thousand five hundred and forty-two dollars ($49,542).

Legislature:

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms and employes while the general assembly is in session, and the payment of the clerks of the house and senate after adjournment, as provided in sections thirty-nine, forty-three and forty-five of the revised statutes, twenty-eight thousand dollars ($28,000).

State Library:

Purchase of books, three hundred and seventy-five dollars ($375).
Contingent expense, one hundred and fifty dollars ($150).
Salary of librarian, three hundred and seventy-five dollars ($375).
Salary of assistant librarian, three hundred dollars ($300).

Law Library:

Purchase of books, five hundred dollars ($500).
Salary of librarian, three hundred and seventy-five dollars ($375).

Salary of assistant librarian, two hundred and fifty dollars ($250).
Shelving, twenty-five dollars ($25).

Mine Inspector's Department:

Contingent expenses, three hundred and sixty-eight dollars and sixty-seven cents ($368.67).
Salary of inspector, five hundred dollars ($500).
Salary of assistant inspector, three hundred dollars ($300).

Board of Public Works:

Salaries of members, six hundred dollars ($600).

Secretary of State's Department:

Contingent expenses, three hundred and seventy-five dollars ($375).
Salary of secretary, five hundred dollars ($500).
Salary of chief clerk, five hundred dollars ($500).
Salary of statistical clerk, three hundred and seventy-five dollars ($375).
Salary of stationery clerk, three hundred and thirty-seven dollars and fifty cents ($337.50).
Salary of recording clerk, three hundred and thirty-seven dollars and fifty cents ($337.50).
Salary of corporation clerk, three hundred and thirty-seven dollars and fifty cents ($337.50).
Distribution of laws and journals, four hundred and fifty dollars ($450).
Printing paper, eight thousand seven hundred and fifty dollars ($8,750).
Stationery, two thousand five hundred dollars ($2,500).
Superintendent of packing room, two hundred dollars ($200)
Carpets, furniture and repairs, twenty-five dollars ($25).

Supervisor of Public Printing:

Contingent expenses, fifty dollars ($50).
Salary of supervisor, four hundred and fifty dollars ($450).
State printing, seven thousand dollars ($7,000).
State binding, six thousand seven hundred and fifty dollars ($6,750).

Supreme Court:

Salary of clerk, three hundred and seventy-five dollars ($375).
Salary of deputy clerk, three hundred dollars ($300).
Salary of reporter, two hundred and fifty dollars ($250).
Furniture for court room, one hundred and twenty-five dollars ($125).
The supreme court shall appoint a janitor to serve as janitor of the law library, the supreme court, and the supreme court commission, and the clerk's office, at a salary

of six hundred dollars ($600), for the year, beginning February 15th, 1884, and ending February 15th, 1885, to be paid in monthly installments on the order of the clerk of supreme court.

Treasurer of State:

Contingent expenses, two hundred and eighty-three dollars and twenty cents ($283.20).

Salary of treasurer, seven hundred and fifty dollars ($750).

Salary of chief clerk, five hundred dollars ($500).

Salary of two book-keepers, six hundred and seventy-five dollars ($675).

Salary of night watchmen, four hundred dollars ($400).

Alarm telegraph and telephone, twenty-one dollars and fifty cents ($21.50).

Supreme Court Commission:

Salary of judges, five thousand dollars ($5,000).

Salary of clerk, one hundred and twenty-five dollars ($125).

Salary of deputy clerk, two hundred and fifty dollars ($250).

Contingent fund, fifty dollars ($50).

Salary of reporter, two hundred dollars ($200).

Salary of porter for one year, nine hundred dollars ($900), payable in monthly installments.

For crier of the supreme court commission for one year, three hundred dollars ($300), payable in monthly installments.

For messenger, for one year, two hundred dollars ($200), payable in monthly installments.

SEC. 2. The moneys appropriated in the foregoing section shall not in any way be expended to pay liabilities or deficiencies existing prior to February 15, 1884, nor be used for any other purpose than the specific purpose for which the same is appropriated.

And the money hereinbefore appropriated shall be drawn only on a requisition on the auditor of state, approved by the head of each department, which shall set forth the services rendered, or the materials furnished.

Senate contingent expenses, four hundred dollars ($400).

House contingent expenses, six hundred dollars ($600).

To re-appropriate moneys lapsed into the treasury necessary to pay the outgoing clerk of the supreme court, one hundred and fifty dollars ($150).

To pay for rebuilding gas-house and fixtures at girls' industrial home, ten hundred and fifty dollars ($1.050).

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

assed January 31, 1884.

[Senate Bill No. 55.]

AN ACT

To change the time for holding the first term of the court of common pleas in the county of Madison for the year 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time for holding the first term of the court of common pleas in and for the county of Madison for the year 1884, as fixed by the judges of the fifth judicial district, be and the same is hereby changed, and that said term shall be held on the twelfth day of February, 1884, instead of the tenth day of February, 1884, as fixed by said judges.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[House Bill No. 75.]

AN ACT

Providing for the better protection and care of the State House and grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the protection of the state house and the offices therein, and to prevent improper conduct and trespassing in and about the building and grounds, the adjutant-general shall appoint one day policeman and one night policeman; and to provide for attention of strangers visiting the capitol, he shall appoint a visitors' attendant, who shall also take proper care of the building and premises in the absence of the day policeman; said policeman and visitors' attendant shall be appointed for the term of two years, unless sooner removed. The persons so appointed shall take an oath of office and wear a proper uniform and badge of office, and shall have the same authority to make arrests as is or may be vested in the police of cities, and all persons arrested by them shall be delivered to the police authorities of the city of Columbus, and dealt with by said authorities in the same manner as persons arrested by the police of said city. The persons so appointed shall, in the discharge of said duty, so arrange that at no time shall the building and grounds be without police protection.

Adjutant-general to appoint policemen and visitors' attendant for state house.

Duties of.

SEC. 2. The day police and visitors' attendant shall each receive an annual salary of seven hundred and twenty dollars ($720), and the night policeman shall receive an annual salary of eight hundred dollars ($800).

Salary of.

SEC. 3. That an act entitled "an act providing for the better protection and care of the state house and grounds," passed April 16, 1883, be and the same is hereby repealed.

SEC. 4. This act shall take effect upon its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[House Bill No. 159.]

AN ACT

To amend section 700 of the Revised Statutes of Ohio, as amended March 18, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 700 of the revised statutes of Ohio, as amended March 18, 1881, be amended to read as follows:

Counties entitled to send patients in proportion to population.

Section 700. Each county is entitled to send patients to the asylum of the district in which such county is situated, in proportion to the population of such county; no person shall be admitted into either of the asylums belonging to the state, except an inhabitant of the district in which the asylum is located, unless by joint resolution of the general assembly, which joint resolution shall specifically name the person to be admitted, and no person shall be considered an inhabitant within the meaning of this chapter who has not resided within the state one year next preceding the date of his or her application, and no person is entitled to the benefit of the provisions of this chapter except whose insanity has occurred during the time such person has resided in the state; all persons who have been or may hereafter be admitted into either of the asylums for the insane, belonging to the state, shall be maintained therein at the expense of the state, except as is provided in section six hundred and thirty-one of this title of the revised statutes of Ohio. The trustees may direct the discharge of a patient when they deem it expedient. The medical superintendent of each of the asylums shall inform the probate judge of the different counties comprising the district monthly, of the quota of patients to which each county is entitled, and the number in the asylum from said county, and the probate judge may at any time forward an acute case if the quota is not full, and papers and clothing are in compliance with law.

How non-resident may be admitted.

Medical superintendent to notify probate judges of quota which county entitled.

SEC. 2. Said original section 700 of the revised statutes of Ohio, as amended March 18, 1881, is hereby repealed.

SEC. 3. This act to take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[Senate Bill No. 27.]

AN ACT

To provide for the better lighting of the state library.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the sum of one hundred and thirty five dollars be and the same is hereby appropriated from any funds in the state treasury not otherwise appropriated, for the purpose of better lighting the state library room by electricity.

SEC. 2. That on the completion of said works, machinery and lighting to the satisfaction of the state librarian, and according to the proposition and specifications on file with that official, he, the said librarian, shall certify that fact to the auditor of state, who, on receipt of such certificate, shall be and is hereby authorized to draw his warrant upon the state treasury for the amount appropriated in this act, or so much thereof as by said certificate shall appear to be due and payable.

Librarian to certify completion of work, etc.

SEC. 3. This act to take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 7, 1884.

[Senate Bill No. 12.]

AN ACT

To protect all citizens in their civil and legal rights.

WHEREAS, It is essential to just government that we recognize and protect all men as equal before the law, and that a democratic form of government should mete out equal and exact justice to all, of whatever nativity, race, color, persuasion, religious or political; and it being the appropriate object of legislation to enact great fundamental principles into law, therefore,

Civil rights; to protect all persons in.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all persons within the jurisdiction of said state shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities and privilege of inns, public conveyances on land or water, theaters and other places of public amusement, subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color.

Penalty.

SEC. 2. That any person who shall violate any of the provisions of the foregoing section by denying to any citizen, except for reasons applicable alike to all citizens of every race and color, and regardless of color or race, the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial, shall, for every such offense, forfeit and pay a sum not to exceed one hundred dollars to the person aggrieved thereby, to be recovered in any court of competent jurisdiction, in the county where said offense was committed; and shall also, for every such offense, be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not to exceed one hundred dollars ($100), or shall be imprisoned not more than thirty days, or both; and provided, further, that a judgment in favor of the party aggrieved, or punishment upon an indictment, shall be a bar to either prosecution respectively.

Race or color shall not disqualify to act as juror.

SEC. 3. That no citizen of the state of Ohio, possessing all other qualifications which are or may be prescribed by law, shall be disqualified to serve as grand or petit juror in any court of said state, on account of race or color, and any officer or other person charged with any duty in the selection or summoning of jurors, who shall exclude or fail to summon any citizen for the cause aforesaid, shall on conviction thereof be deemed guilty of a misdemeanor, and be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both.

Penalty.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 7, 1884.

[Senate Bill No. 72.]

AN ACT

To authorize cities of the first grade, first class, to issue bonds for the relief of sufferers by the present floods therein.

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the comptroller of any city of the first grade

of the first class, is hereby authorized to borrow in behalf thereof a sum of money not exceeding fifty thousand dollars to relieve the suffering only, in such city caused by the floods therein, and to pay the same upon the order of the board of tax commissioners of such city.

Certain cities may issue bonds to relieve sufferers by flood.

SEC. 2. That the common council of any such city is hereby authorized to issue the bonds of said city for a sum not exceeding fifty thousand dollars, with interest at not more than four per centum per annum, payable in five years or sooner, in the discretion of said council, and to make such additional levy as is necessary to provide for the payment thereof. Said bonds shall be advertised for not exceeding three days, and in all other respects as provided by section 2709 of the revised statutes of Ohio.

Bonds; when and how payable.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 7, 1884.

[House Bill No. 31.]

AN ACT

To amend sections 4732 and 7001, of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections forty-seven hundred and thirty-two and seven thousand and one, of the revised statutes of Ohio, be so amended as to read as follows:

Section 4732. The trustees of any township, when notified in writing that any Canada thistles, teasels or wild carrots are about to go to seed on any land within their township, shall cause the same to be destroyed in time to prevent the seed from spreading, and make return in writing to the board of county commissioners of their county, with their bill of expenses and charges therefor, which bill shall be paid from the county fund, the same having first been audited and allowed by the board, at the rate of compensation allowed by law to trustees for ordinary services, and the amount so paid shall be entered upon the duplicate against the land upon which the thistles, teasels or wild carrots were destroyed, and collected the same as other taxes, and returned to the county fund; but the owner, lessee, or agent of any land upon which Canada thistles, teasels or wild carrots are about going to seed, shall be first notified in writing by some person interested, at least five days previous to the cutting thereof by the trustees.

To prevent the spreading of Canada thistle or wild carrots.

Section 7001. Whoever knowingly vends any grass or other seed, in or among which there is any seed of the

Penalty for vending impure seed.

Canada thistle, white or yellow daisy, or wild carrot, and whoever being the owner, occupier, or possessor of any land, suffers any Canada thistle, teasels or wild carrot to grow and ripen seed thereon, or on the highway adjoining the same, shall be fined twenty dollars.

SEC. 2. This act shall take effect and be in force from and after its passage; and said original sections 4732 and 7001 be and the same are hereby repealed.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 14, 1884.

[House Bill No. 37.]

AN ACT

To authorize the councils of certain cities to transfer funds therein named.

[SPRINGFIELD.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That when a deficiency is found to exist at any time prior to June 1, 1884, in the fire department fund or in the fund for lighting the corporation of any city of the third grade, second class, having a population not less than twenty thousand, nor greater than thirty thousand, so that the necessary expenses of maintaining the fire department or of lighting the corporation on the scale of respective expenditures therefor now fixed by the council of said city, as well as the debts respectively chargeable against said funds cannot be fully paid therefrom, the council of said city is hereby authorized and required to transfer from any other fund or funds of the city, except the library fund and the debt and interest fund, any surplus over and above the amount respectively necessary to meet the expenses and obligations chargeable against the same prior to said date, and also to transfer to such deficient funds any amount which said city may receive from any judgment in a suit brought in the name of the state of Ohio against a defaulting treasurer of the county, in which said city is situate, and his bondsmen, to recover the amount of the treasurer's defalcation; provided, that no greater transfer of funds or money from any judgment shall be made in pursuance of this act, than may be found necessary to supply such deficiencies, and in making the transfer any such deficiency existing in the fire department fund must be fully provided for before any such transfer is made to the fund for lighting the corporation.

Certain cities authorized to transfer certain funds.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 14, 1884.

[House Bill No. 71.]

AN ACT

To provide for the transfer of forty-three thousand nine hundred and sixty-six dollars and thirty-seven cents ($43,966.37), from the infirmary fund of cities of the first grade of the first class, to the watch fund of said cities.

[CINCINNATI.]

Certain cities authorized to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the first class, the comptroller is hereby authorized to transfer the sum of forty-three thousand nine hundred and sixty-six dollars and thirty-seven cents from the city infirmary fund to the watch fund, subject to the order of the mayor of such city.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 14, 1884.

[Senate Bill No. 4.]

AN ACT

To amend an act entitled "an act to apportion the state of Ohio into congressional districts," passed April 17, 1882. (O L., vol 79, p. 140.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the above recited act be amended so as to read as follows:

Section 1. That the state of Ohio shall be divided into twenty-one districts for the election of representatives to congress, and each district shall choose one representative in the manner following, to wit:

First District—That so much of the county of Hamilton as is now contained within the limits of the first, second, third,

fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, and eighteenth wards of the city of Cincinnati as they are now constituted, and the townships of Anderson, Columbia, Spencer, Symmes, and Sycamore, and Avondale and the North-east, St. Bernard, and Bond Hill precincts of Mill Creek township, shall compose the first district.

Second District—The balance of the county of Hamilton now contained within the limits of the twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth and twenty-fifth wards of the city of Cincinnati, as they are now constituted, and the townships of Springfield, Colerain, Greene, Delhi, Miami, Whitewater, Harrison, and Crosby, and Clifton, College Hill, Winton Place, and western precincts of Mill Creek township, shall compose the second district.

Third District—The counties of Butler, Preble, Warren and Clermont, shall compose the third district.

Fourth District—The counties of Montgomery, Miami and Darke, shall compose the fourth district.

Fifth District—The counties of Shelby, Mercer, Auglaize, Allen, Logan and Hardin, shall compose the fifth district.

Sixth District—The counties of Williams, Defiance, Paulding, Van Wert, Putnam, Henry and Fulton, shall compose the sixth district.

Seventh District—The counties of Wood, Hancock, Seneca, Wyandot and Crawford, shall compose the seventh district.

Eighth District—The counties of Champaign, Clarke, Greene, Clinton and Fayette, shall compose the eighth district.

Ninth District—The counties of Marion, Union, Morrow, Delaware, Knox and Madison, shall compose the ninth district.

Tenth District—The counties of Lucas, Ottawa, Sandusky and Erie, shall compose the tenth district.

Eleventh District—The counties of Ross, Highland, Brown and Adams shall compose the eleventh district.

Twelfth District—The counties of Vinton, Pike, Jackson, Scioto and Lawrence, shall comprise the twelfth district.

Thirteenth District—The counties of Franklin, Pickaway, Fairfield and Hocking, shall compose the thirteenth district.

Fourteenth District—The counties of Perry, Morgan, Athens, Meigs and Gallia, shall compose the fourteenth district.

Fifteenth District—The counties of Tuscarawas, Coshocton, Licking and Muskingum, shall compose the fifteenth district.

Sixteenth District—The counties of Lorain, Huron, Ashland, Richland and Holmes, shall compose the sixteenth district.

Seventeenth District—The counties of Guernsey, Belmont, Noble, Monroe and Washington, shall compose the seventeenth district.

Eighteenth District—The counties of Mahoning, Columbiana, Carroll, Jefferson and Harrison, shall compose the eighteenth district.

Nineteenth District—The counties of Ashtabula, Trumbull, Portage, Geauga and Lake, the townships of Bedford, Brecks-

ville, Chagrin Falls, East Cleveland, Euclid, Independence, Mayfield, Orange, Royalton, Strongsville, Solon, and Warrensville, in Cuyahoga county, and the sixteenth and seventeenth wards of the city of Cleveland, shall compose the nineteenth district.

Twentieth District—The counties of Summit, Medina, Wayne and Stark, shall compose the twentieth district.

Twenty-first District—The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and eighteenth wards of the city of Cleveland, as constituted and bounded January 1st, 1884, and the townships of Brooklyn, Dover, Middleburgh, Newburgh, Olmstead, Rockport and Parma, in Cuyahoga county, shall compose the twenty-first district.

SEC. 2. That the "act to apportion the state of Ohio into congressional districts," passed April 17, 1882, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 14, 1884.

[Substitute for Senate Bill No. 76 and Senate Joint Resolution No. 27.]

AN ACT

For the relief of sufferers in this state by the present floods.

Appropriation for relief of flood sufferers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any funds in the state treasury, or that may hereafter come into the same to the credit of the general revenue fund, and not otherwise appropriated, the sum of two hundred thousand dollars ($200,000), for the relief of the sufferers in this state by the present floods.

Governor to appoint commission to distribute.

SEC. 2. That for the purpose of distributing said funds among the sufferers as aforesaid in the localities where the same is needed, the governor is hereby authorized to appoint a commission, consisting of five (5) persons, whose duty it shall be to distribute the same, and render to the governor and the general assembly a statement of the manner in which said funds were distributed.

SEC. 3. This act shall take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 15, 1884.

[House Bill No. 38.]

AN ACT

To amend section 553 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section five hundred and fifty-three (553) of the revised statutes be and it is hereby amended so as to read as follows:

Section 553. The court of common pleas and district court in any county, and the superior court in any city or county, and the probate court in any county containing a city of the first grade of the first class, may each on the application of the sheriff of the county, appoint one or more constables to preserve order and discharge such other duties as the court requires; and each constable, when so directed by the court, shall have the same power to call and impanel jurors which by law the sheriff of the county has, except in capital cases. The compensation of such constables shall be the same as that of regular jurors, except in counties containing a city of the first grade of the first class, it shall be eight hundred dollars ($800) per annum, and in all cases shall be paid out of the county treasury, on the order of the court.

When courts may appoint constables.

Powers of.

Compensation.

SEC. 2. That original section 553 be and the same is hereby repealed; and this act shall take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 15, 1884.

[House Bill No. 106.]

AN ACT

To amend section 4730, to secure the better destruction of noxious weeds in highways.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That [section] forty-seven hundred and thirty of the revised statutes of Ohio be amended to read as follows:

Section 4730. Supervisors of township or county roads or superintendents of any improved or macadamized roads shall cut down, or cause to be cut down, and destroy all weeds, burs, bushes, and briers, growing within any county or township highway, the same to be done within the months of July and August of each year, and also in the months of September and October, whenever a repetition of the work becomes necessary the more effectually to exterminate the same; and for that purpose such supervisor or superintend-

Road supervisors or superintendents to destroy weeds, briers, etc., on highways.

ent may allow any landowner a reasonable compensation for destroying such weeds, burs, bushes, and briers on the public highway on which such landowner's land abuts; such compensation to be fixed by such supervisor or superintendent before such labor is performed, and shall be credited upon said landowner's road tax for that year; and the superintendent of any turnpike road upon which toll is demanded for traveling the same, shall cut down, or cause to be cut down and destroyed, all weeds, burs, bushes, and briers growing within his turnpike; and if any superintendent refuse or neglect before the first day of September in each year so to do, the trustees of the township through which the road passes, shall cause the same to be done, and they shall have a right of action against the turnpike company for the amount paid for the same, together with one hundred per cent. penalty, to be recovered before any justice of the peace of the township.

Compensation.

To be destroyed on toll turnpikes.

SEC. 2. That the original section 4730 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed February 21, 1884.

[Senate Bill No. 37.]

AN ACT

To amend section 95 of the revised statutes of Ohio, as amended March 11, 1881. (O. L. v. 78, p. 49).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section ninety-five of the revised statutes of Ohio, as amended March 11, 1881, be amended to read as follows:

Section 95. The governor, in any case authorized by the constitution of the United States, may, on demand, deliver over to the executive authority of any other state or territory, any person charged therein with treason, felony, or other crime committed therein, and he may, on application appoint an agent to demand of the executive authority of any other state or territory any person charged with felony who has fled from justice in this state; but such demand or application must be accompanied by sworn evidence that the party charged is a fugitive from justice, and that the demand or application is made in good faith, for the punishment of crime, and not for the purpose of collecting a debt or pecuniary mulct, or of removing the alleged fugitive to a

Fugitive from justice; when governor may surrender, or make requisition for.

foreign jurisdiction with a view there to serve him with civil process; and also by a duly attested copy of an indictment or an information, or duly attested copy of a complaint made before a court or magistrate authorized to take the same, such complaint to be accompanied by an affidavit or affidavits to the facts constituting the offense charged, by persons having actual knowledge thereof; the same shall also be accompanied by a statement in writing from the prosecuting attorney of the proper county, who shall briefly set forth all the facts of the case, the reputation of the party or parties asking such requisition, and whether, in his opinion, such requisition is sought from improper motives, or in good faith to enforce the criminal laws of Ohio, and such further evidence in support thereof as the governor may require. Fugitive convicts shall also be so surrendered and demanded upon sworn evidence, duly authenticated, satisfactory to the governor. For issuing such requisition, fees not to exceed five dollars, may be charged.

Fugitive convicts to be surrendered.

SEC. 2. That said section 95, as amended March 11, 1881, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed February 21, 1884.

[House Bill No. 105.]

AN ACT

Supplementary to section 4732 of the revised statutes.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section forty-seven hundred and thirty-two of the revised statutes, with sectional numbering as follows:

Section 4732*a*. That in cities of the third grade of the first class, upon the mayor of any such city, or upon his neglect or refusal, the common council, causing notice to be published for two weeks in the corporation paper, in any year after the first day of June, warning the owners of lots and lands within such city to cause all Canada thistles to be destroyed before the time such thistles will seed, the council shall furnish the street commissioner the necessary funds, and it shall be the duty of said street commissioner, so soon thereafter as any Canada thistles are found growing in such city, and have attained full bloom, to enter upon the lots and lands where such thistles are growing, and cut the same close to the ground, or otherwise destroy the same, so as to

Providing for destruction of Canada thistles in certain cities.

prevent such thistles from going to seed; said commissioner shall make return in writing to the council, with his bill of expenses and charges therefor, on each lot or parcel of land on which he has cut or destroyed such thistles, whereupon said council shall, after approving the same, cause such expenses and charges for cutting or destroying such thistles, together with one dollar ($1.00) additional on each lot or parcel of land containing less than one acre, and with three dollars ($3.00) additional on each lot or parcel of land containing one acre or more, measured to the middle of all contiguous streets or alleys, to be certified to the county auditor, and by him entered on the tax duplicate of the county against the lots or lands on which the thistles were cut or destroyed, and be collected the same as other taxes, and returned to the fund "for general purposes," of such city; such expenses, charges, and additionals, as above, shall be and constitute a lien on such lots and lands from the time said work is done; the provisions of section forty-seven hundred and thirty-two as to the notice to the owners, lessees, or agents of any land upon which Canada thistles are about going to seed, shall have no force or effect in such city; but the publication of notice as herein provided shall be full and complete notice to all resident and non-resident owners of land in such city.

SEC. 2. This act shall be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 87.]

AN ACT

To amend section 6454 of the revised statutes of Ohio, as amended March 9, 1880, March 9, 1882, and March 7, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section six thousand four hundred and fifty-four of the revised statutes of Ohio, as amended March 9, 1880, March 9, 1882, and March 7, 1883, be so amended as to read as follows:

Section 6454. The probate court shall have jurisdiction concurrent with the court of common pleas, in all misdemeanors and in all proceedings to prevent crime in the following counties: Cuyahoga, Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshocton, Defiance, Portage, Clermont, Carroll,

In what counties probate court to have criminal jurisdiction.

Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning, Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike and Summit.

SEC. 2. That said original section 6454, as amended March 9, 1880, March 9, 1882, and March 7, 1883, be and the same is hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 113.]

AN ACT

To repeal an act entitled "an act supplementary to section 2408 of the revised statutes of Ohio," passed March 21, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "an act supplementary to section twenty-four hundred and eight," passed March 21, 1883, be and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 150.]

AN ACT

To amend section 3968 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-nine hundred and sixty-eight of the revised statutes of Ohio be amended so as to read as follows:

How contingent fund to be applied in Toledo.

Section 3968. In the city of Toledo, at each annual settlement of the treasurer of the board of education with the county auditor, there shall be placed to the credit of a sink-

ing fund, so much of the proceeds of the levy for contingent fund, as would be produced by a levy of two mills, or such part of two mills as may be required to pay interest accrued and bonds maturing; and the treasurer shall apply the same in payment of school bonds, and interest thereon, and to no other purpose.

SEC. 2. That said original section 3968 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[Senate Bill No. 23.]

AN ACT

To amend section 4887 of the revised statutes of Ohio, as amended February 21, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand eight hundred and eighty-seven of the revised statutes of Ohio, as amended February 21, 1883, be so amended as to read as follows:

Powers and duties of pike superintendents.

Section 4887. The superintendent shall keep in repair all culverts necessary for the travel and convenience of such roads; his authority shall extend to repairing bridges and culverts in all cases where the expenditure of money shall not exceed fifty dollars ($50); he shall have power to contract for the necessary material and labor therefor, and certify the same to the commissioners, as provided for in section forty-eight hundred and eighty, and all contracts for labor and material employed in the repair of culverts and bridges shall be paid for out of the road fund of the county.

SEC. 2. Said original section 4887, as amended February 21, 1883 (O. L. 1883, p. 23), be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[Senate Bill No. 51.]

AN ACT

To amend section 4510 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-five hundred and ten of the revised statutes of Ohio be and the same is hereby amended so as to read as follows:

When county commissioners may cause ditch, etc., to be altered or repaired.

Section 4510. The county commissioners, on application of one or more freeholders actually benefited, shall have power in case the township trustees refuse to act as provided for in section 4552 of the revised statutes of Ohio, as amended February 10, 1883 (O. L. vol. 80 page 15), to cause any ditch or ditches, or any part or parts thereof, located and constructed under any law or laws, or any part of any creek, river or run that has been straightened, widened, deepened or changed under the provisions of this act, to be altered, deepened, widened, enlarged, repaired, boxed or tiled; and the same proceedings shall be had, so far as applicable, as is or would be required in the location or construction of the same by said commissioners. And in all cases the expenses thereof shall be apportioned in the same manner as is provided in the original construction of the improvement by them ordered to be made; and the provisions of this chapter shall apply to ditch improvements petitioned for, located or in process of construction at the time the same takes effect.

Expense of, how apportioned

SEC. 2. That said original section 4510 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[Senate Bill No. 77.]

AN A

Supplementary to an act to authorize councils of certain cities designated therein to borrow money for the construction and operation of water-works, for domestic, fire and other purposes in said cities, and to issue bonds therefor; passed March 15, A. D. 1883.

[HAMILTON.]

Certain cities may issue additional bonds to complete water-works

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city, which had by the last federal census a population of twelve thousand and one hundred and not exceeding twelve thousand and three hundred, where the said city has authorized the issue of, and

has issued the bonds of said city, and made the levy on the taxable property therein for paying the same up to the limit provided in said act to which this is supplementary, and said city has begun and proceeded with the construction of water-works in accordance with said act, and the money and funds derived from said issue of bonds, and said levy will not be sufficient to complete the said water-works, and put the same in running order and operate the same, is hereby authorized and empowered to issue the bonds of said city in addition to the amount and limit already allowed by said act to which this is supplementary, in such amount as will be necessary to complete said water-works, and put the same in running order and operate the same and not to exceed the sum of fifty thousand dollars, and the money derived therefrom shall be applied in the manner now required by law, for the construction, completion, and operation of water-works in cities of this state. The said bonds shall be signed by the mayor and clerk of said city, shall bear a rate of interest not exceeding five per cent. per annum, payable semi-annually, the principal payable within not more than forty years, nor less than twenty years from date of issue thereof in such sums, at such times, and in such manner as council may determine, before the issue of said bonds; and said bonds shall not be sold or disposed of at less than their par value.

Form of bond; rate of interest.

SEC. 2. It is hereby further provided that all moneys derived from said bonds shall be paid into and become a part of the water-works fund, and shall be used as provided in said orignal act to which this is supplementary.

SEC. 3. This act to take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[House Bill No. 130.]

AN ACT

To amend section 59 of the revised statutes of Ohio, relating to the printing of bills and other documents.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fifty-nine of the revised statutes of Ohio be so amended as to read as follows:

Section 59. Each clerk shall carefully preserve, during the session, all papers and documents that may be laid before the branch of which he is clerk; and such of them as are ordered by such branch to be printed, he shall forthwith

Clerk's duties as to printing, papers and documents of general assembly.

deliver to the printer for his use in printing them, and the printer shall immediately print three hundred and sixty copies thereof, of which number each of the executive officers shall receive one, and the state librarian five, which he shall preserve, and no extra copies of any paper or document shall be printed, unless the same be ordered by joint resolution, adopted within ten days of the day on which the three hundred and sixty copies are printed and delivered to the clerks; and if extra copies be so ordered, the printer shall print the same without any charge for composition for such extra copies; and each clerk shall keep a correct list of all papers and documents of which extra copies are ordered to be printed, and also all of such as are ordered to be printed in the appendix to the journal of the branch of which he is clerk, and shall furnish the printer with copies of such costs [lists] whenever requested by the printer so to do; and if any paper or document be ordered to be printed in the appendix to either journal before the same is delivered to the printer, the clerk having charge of it shall indorse upon it before sending it to the printer these words, "ordered to be printed in appendix," and if any such paper or document be ordered printed in either appendix within ten days after the same was printed for the use of the general assembly, then no charge for composition can be made for printing it in the appendix.

Documents to be printed in appendix to journal.

SEC. 2. This act shall take effect and be in force from and after its passage; and original section 59 of the revised statutes is hereby repealed.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[House Bill No. 93.]

AN ACT

To amend section 3040 of the revised statutes, as amended March 26, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand and forty of the revised statutes, as amended March 26, 1883, be so amended as to read as follows:

When members of certain independent military companies shall be entitled to exemptions.

Section 3040. If any independent infantry company, the organization of which has been continuous for at least twenty years last past, or any independent cavalry troop, the organization of which has been continuous for at least five years last past, or any infantry company or battalion, whose active membership is composed exclusively of veterans of the

late war, and whose organization has been continuous for more than two years last past, being fully armed and equipped, agree to be subject to all calls of the governor for troops, in case of war, insurrection, riot, or invasion, and at least forty of the members of such infantry company or battalion, or twenty-five of the members of such cavalry troop sign an agreement to that effect, and file the same with the governor, the acting and contributing members thereof, not exceeding the number allowed an infantry company or battalion or a cavalry troop of the organized militia, shall be entitled to all the privileges and exemptions allowed members of the national guard; the acting members thereof who sign such agreement shall, from neglecting or refusing to respond to any such call of the governor, be subject to the same fines and penalties as members of the national guard for like offenses; all persons who enlist in such company, troop or battalion after the filing of such agreement, shall sign a like agreement, which shall also be filed with the governor; and such company, troop and battalion shall be kept up to at least a minimum of twenty-five, and one hundred and twenty active members, respectively; the fee of contributing members of such cavalry troop shall not be less than fifteen dollars, and a record of contributing members showing the date of each certificate, to whom issued, and the amount paid, shall be kept by the secretary of such troop, company or battalion, a copy of which shall be filed with the clerk of the court of common pleas, and a report of the same shall be made to the adjutant-general of the state on or before the first day of April of each year.

Penalty for refusing to respond to call of governor.

Fee of contributing members.

Record of such members; where kept.

SEC. 2. That said original section 3040 of the revised statutes, as amended March 26, 1883, be and the same is hereby repealed; and this act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 4, 1884.

[House Bill No. 311]

AN ACT

To repeal certain acts passed February 24, 1881 (78 v. 37), and February 14, 1882 (79 v. 6.)

[WASHINGTON COUNTY.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "an act for the better improvement of the public highways in counties having a population, in 1870, of forty thousand six hundred and nine,"

Repealing road laws of certain counties.

passed February 24, 1881 (78 v. 37), and also the act entitled "an act supplementary to an act passed February 24, 1881, entitled 'an act for the better improvement of public highways in counties having a population in 1870 of forty thousand six hundred and nine,'" passed February 14, 1882 (79 v. 6), are hereby repealed.

Certain sections revived as to same.

SEC. 2. Sections 2661, 2824, 2830, 4737, 4738, 4739, 4755, 4756 and 4757 of the revised Statutes of Ohio shall be in full force and effect in said county the same as before the passage of said acts.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 5, 1884.

[House Bill No. 68.]

AN ACT

To authorize cities of the second grade of the first class to transfer certain moneys to the general sinking fund.

[CLEVELAND.]

Council of certain cities may transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the second grade of the first class is hereby empowered to transfer by ordinance, from the general and police funds the sum of fifteen thousand dollars ($15,000) to the city bridge fund and the balance in said funds to the general sinking fund, such portion as the council may deem proper, of the moneys arising during the years 1883 and 1884 from the tax authorized by an act entitled "an act further providing against the evils resulting from the traffic in intoxicating liquors," passed April 17, 1883.

SEC. 2. That this act shall take effect from its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 5, 1884.

[House Bill No. 152.]

AN ACT

For the relief of Thomas A. Conrad.

WHEREAS, Under joint resolution of the sixty-fifth general assembly, adopted April 17, 1883 (O. L. p. 397), the board of trustees of the soldiers' and sailors' orphans' home at Xenia, Ohio, were authorized and required to investigate the claim of Thomas A. Conrad, for furnishing materials and plastering the building, he being a sub-contractor in the rebuilding of said institution; and

WHEREAS, The said board of trustees have investigated the claim, and have made their report to the sixty-sixth general assembly; that they find, as a result of their investigation, that there is due said Thomas A. Conrad for loss sustained—no part of said loss being caused by any fault or neglect of said Thomas A. Conrad—the sum of four hundred and thirty-nine dollars and ninety-five cents; therefore,

To pay claim of Thos. A. Conrad.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there is hereby appropriated out of any unappropriated money in the treasury of the state, the sum of four hundred and thiry-nine dollars and ninety-five cents ($439.95), in full payment of the claims of said Thomas A. Conrad, to be paid to him upon the warrant of the auditor of state.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 7, 1884.

[Senate Bill No. 84.]

AN ACT

To repeal an act entitled "an act to amend section 2824 of the revised statutes, limiting the power of the county commissioners of Athens county," passed April 6, 1883 (O. L. v. 80, p. 316.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "an act to amend section 2824 of the revised statutes, limiting the power of the county commissioners of Athens county," passed April 6, 1883, be and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 7, 1884.

[Senate Bill No. 121.]

AN ACT

Making appropriations to meet deficiencies.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund and not otherwise appropriated, the following sums of money for the purposes herein named, to wit:

Adjutant-General's Department:

For payment of stable rent, F. S. Brooks, from August 15, 1882, to February 15, 1883, eighteen dollars ($18).

For payment John S. McClellan, blacksmithing, January 29, 1881, to January 13, 1882, twenty-three dollars and twenty cents ($23.20).

For payment M. J. Wilcox, repairing tents, sixteenth regiment, February and August, 1883, two hundred and thirteen dollars and eighty-two cents ($213.82).

For payment to Charles Huston, sundries, from May 20 to February 12, 1884, sixty-five dollars and sixty-six cents ($65.66).

For payment of McCune, Lonnis & Co., hardware, sixty-one dollars and forty-four cents ($61.44).

For payment A. L. Yardley, repairing doors, etc., three dollars and seventy-five cents ($3.75).

For payment to Charles Schwenker, for brooms, twelve dollars ($12).

For payment to Geo. A. Lawler, blacksmithing, one dollar ($1).

Adjutant-General:

Payment to J. W. Bock, for signs for ladies' toilet, three dollars ($3).

For payment of Hildreth, Martin & Co., for lumber, thirty-six dollars and ninety-nine cents ($36.99).

For payment to Thomas Cassidy, balance on account of wood purchased, eleven dollars and forty-two cents ($11.42).

For payment to J. L. Brown, boarding horse for the use of the State House and grounds, fifteen dollars ($15).

For regular labor performed by R. Lewis and others, and extra labor, caring for State House and grounds, one hundred and fifty-one dollars and fifty cents ($151.50).

For payment to A. P. Carson, carpenter work, sixteen dollars and twenty-five cents ($16.25).

For payment to Kilbourne & Jones, hardware, twelve dollars and fifty-eight cents ($12.58).

For payment Stevens & Thacker, for soap for use of State House, seventeen dollars and sixty cents ($17.60).

For payment sundry accounts, one dollar and ninety cents ($1.90).

For payment of bills for constructing ladies' toilet room, two hundred and twenty dollars and fifteen cents ($220.15).

Clerk of the Supreme Court:

For contingent fund, eleven dollars and seventy cents ($11.70).

Athens Asylum for Insane:

For payment of ordinary repairs, three hundred and forty-nine dollars and eighty-eight cents ($349.88).

Cleveland Asylum for Insane:

For ordinary repairs, five hundred and seventy-seven dollars and sixty-three cents ($577.63).

Columbus Asylum for Insane:

For current expenses, four thousand six hundred and eighty dollars and seventy-five cents ($4,680.75).

For heating strong room, four hundred and seventy-four dollars and fifty-two cents ($474.52).

For repairing boilers, two hundred and seven dollars and fifty-six cents ($207.56).

For horse, buggy and harness, four hundred and four dollars and eighty cents ($404.80).

Dayton Asylum for Insane:

For ordinary repairs, one thousand and forty-seven dollars and sixty-two cents ($1,047.62).

Deaf and Dumb Asylum:

For ordinary repairs, one thousand dollars ($1,000).

For trustees expenses, one hundred and eighty-five dollars ($185).

For carpets, ninety-seven dollars and eighty-five cents ($97.85).

Blind Asylum:

For current expenses, five hundred and two dollars and forty-nine cents ($502.49).

For books and school apparatus, two dollars and sixteen cents ($2.16).

For expenses of trustees, twenty-four dollars ($24).

Soldiers' and Sailors' Orphans' Home:

For industrial pursuits, eleven hundred and eighty-three dollars and fifty-seven cents ($1,183.57).

For ordinary repairs, two hundred and twenty-two dollars and eighty-one cents ($222.81).

For improvement fund, eighty-eight dollars and ninety cents ($88.90).

For furniture and carpets, one hundred and eight dollars ($108).

For library, one dollar and sixty-seven cents ($1.67).

Ohio Penitentiary:

For payment salary of directors, one hundred and seventy-eight dollars and forty-one cents ($178.41).

For rewards of convicts, two hundred and thirty-one dollars and ten cents ($231.10).

For workshops, two hundred and sixteen dollars and thirty-five cents ($216.35).

For new workshops, four hundred and fifteen dollars and eighty-four cents ($415.84).

For carpets, two hundred and nineteen dollars and seventy-two cents ($219.72).

For manufacture of gas, three thousand and eighty-one dollars and ninety-three cents ($3,081.93).

Girls' Industrial Home:

For trustees expenses, one hundred dollars ($100).

Public Works:

To pay W. M. Bateman, attorney's fees in sundry cases as per bills on file, one hundred and seventy-one dollars and thirty cents ($171.30).

To pay W. M. Bateman, attorney's fees in the case of *State of Ohio* v. *Whetstone*, three hundred dollars ($300).

Secretary of State:

To pay Cleveland paper-mill company balance due on paper purchased during the years 1881 and 1882, three hundred and forty-one dollars and forty-six cents ($341.46).

To pay B. & O. express charges, bills due January 15, 1883 sixteen dollars and sixty cents ($16.60).

To pay B. & O. R. R. freight charges, due February 1, 1883, eighteen dollars and twenty-five cents ($18.25).

To pay deficiency in printing paper account, three thousand four hundred and thirty-six dollars and sixty-nine cents ($3,436.69).

Commissioner of Insurance:

To pay Adams express company for service performed prior to February 15, 1883, fifty-four dollars and sixty cents. ($54.60).

To pay Western Union Telegraph Co., part of the service having been performed prior to February 15, 1883, thirty-five dollars and twenty-four cents ($35.24).

To pay Halm, Bellows & Butler balance on furniture, seventy-five dollars and eighty cents ($75.80).

To pay Baltimore and Ohio Express Co. transportation during 1882 and 1883, fifty-four dollars and fifty-seven cents ($54.57).

Miscellaneous:

To pay W. D. Patterson for expenses incurred while serving as prison commissioner, one hundred and eleven dollars and fifty cents ($111.50).

To pay James F. Anderson for publishing sale of tobacco warehouse at Bellaire, ten dollars and fifty cents ($10.50).

To pay John L. Flowers, balance on file cases made in 1878, fifty dollars ($50).

To pay the Halm & Bellows Co. for furniture furnished prior to February 15, 1883, twenty-three dollars and sixty-three cents ($23.63).

To payment of postage executive department, January 15 to February 15, 1884, and telegrams from February 1 to February 15, 1884, sixty-five dollars and thirty-eight cents ($65.38).

To pay Ohio Furniture Co. for repairing senate furniture, thirty-six dollars and twenty cents ($36.20).

To pay Geo. D. Hersey in full for services and expenses for superintending printing of Pennsylvania and Ohio boundary line maps, ninety-three dollars and twenty cents ($93.20).

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[Senate Bill No. 78.]

AN ACT

To amend section 2149 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State Ohio*, That section twenty-one hundred and forty-nine of

he revised statutes of Ohio be amended so as to read as follows:

Powers of municipal corporations to fill lots, remove obstructions, etc.

Section 2149. All municipal corporations shall have power to cause any lot of land within their limits on which water at any time becomes stagnant, to be filled up or drained, and to cause all putrid substances to be removed from any lot, and to cause the removal of all obstructions from all culverts or covered drains on private property, laid in any natural water-course, creek, brook or branch where the same obstructs the water naturally flowing therein, causing it to flow back or become stagnant, in a way prejudicial to the health, comfort, or convenience of any of the citizens of the neighborhood; and if such culverts or drains be of insufficient capacity, to cause the same to be made of such capacity as reasonably to accommodate the flow of such water at all times therein; and the council may direct, by resolution, the owner to fill up or drain such lot, remove such putrid substance, or remove such obstructions, and if necessary enlarge such culverts or covered drains to meet the requirements thereof.

SEC. 2. Said original section 2149 is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[Senate Bill No. 58.]

AN ACT

To amend section 2104 of the revised statutes of Ohio, and to define and limit the application of section 2099.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two thousand one hundred and four be so amended as to read as follows:

Expenses of maintaining work-house, how paid.

Section 2104. The expenses of maintaining and administering the affairs of workhouses over the receipts for the labor of persons confined therein, shall be audited and paid, from time to time, by the council of the corporation; and a tax for such expenses shall be levied and collected as part of the ordinary expenses of the corporation, provided that in any county containing a city of the second grade of the first class, where a workhouse is established and maintained by such city, the expense of maintaining persons sentenced to such workhouse by any court or magistrate in such county, for offenses against a law of the state, over the receipts for the labor of such persons, shall be paid out of the county treas-

ury upon the allowance of the county commissioners, and the commissioners and directors of the workhouse shall agree upon the per diem sum to be paid by the county for such maintenance; and if they are unable to agree, then such amount shall be fixed by the court of common pleas of such county on application of either the commissioners or workhouse directors, and the amount fixed shall be paid to the superintendent of such workhouse.

Per diem to be paid; how fixed.

The per diem amount to be paid shall be fixed yearly, but the per diem previously fixed shall continue until the new determination, settlements and payments shall be made quarterly; and provided further, that section two thousand and ninety-nine (2099) in so far as it authorizes and requires trustees of townships to transmit with the commitment or mittimus a sum of money equal to forty cents per day for the time of commitment, shall have no application in any county containing a city of the second grade of the first class.

SEC. 2. That said section 2104 of the revised statutes is hereby repealed; and this act shall take effect upon its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[House Bill No. 91.]

AN ACT

To amend section 4521 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4521 of the revised statutes of Ohio be so amended as to read as follows:

Township ditches; how compensation and damages awarded.

Section 4521. The trustees shall at the same time examine into and determine all applications made to them for compensation, and shall specify the several amounts, by whom and to whom to be paid, and the time of payment, and no order for the opening or sale of any ditch or any part thereof located and established under this chapter shall be made until the full amount of compensation for land appropriated shall have been paid; and the trustees shall pay such compensation out of the general township fund and apportion the aggregate amount thereof equitably upon the lands benefited by said ditch, and the same shall be a lien on said lands, the same as other taxes, and said apportionment shall be certified by the clerk to the county auditor within forty days from such payment, and placed upon the duplicate against the lands so assessed, and collected in the

same manner as taxes are collected, and when collected shall be paid over to the township entitled thereto, to reimburse said general township fund, provided that any landowner may pay the amount assessed against his lands to the township treasurer at any time before the same is certified to the county auditor.

SEC. 2. That section 4521 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[House Bill No. 135.]

AN ACT

To authorize incorporated villages to regulate, restrain, and prohibit the sale of obscene and immoral literature.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section shall constitute a section supplementary to section 1692 of the revised statutes of Ohio, as amended April 20, 1881, with sectional numbering as follows:

Villages authorized to prohibit sale of obscene books, etc.

Section 1692*e*. To regulate, restrain, and prohibit the sale and exposure for sale of books, papers, and periodicals of an obscene or immoral nature that tend to corrupt the minds of the young.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[House Bill No. 143.]

AN ACT

To amend section 2563 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-five hundred and sixty-three of the revised statutes of Ohio be and the same is hereby amended to read as follows:

Section 2563. The electors of a village, or of a city of the third and fourth grades of the second class, may at an annual municipal election, decide by ballot for or against levying a tax upon all the property subject to taxation in such municipal corporation, for the purpose of erecting a public hall, or for the purpose of improving, enlarging, or making additions to a hall already erected, ten days' notice of such election being given by the order of the mayor, at the request of twenty-five freeholders of the corporation, by notice in a newspaper published in, or of general circulation in such municipal corporation; but, this section shall not be construed as a limitation of the power conferred in the preceding section of this chapter; and if two-thirds of the ballots cast at such election be in favor of such improvement, the provisions of [sections] twenty-five hundred and sixty-one, and twenty-five hundred and sixty-two, shall be applicable thereto.

Building or improving public halls may be submitted to electors.

Notice of such election, how given.

SEC. 2. That original section 2563 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in full force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[House Bill No. 272.]

AN ACT

To amend section 2366 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-three hundred and sixty-six of the revised statutes of Ohio be amended to read as follows:

Section 2366. When it becomes necessary, in the opinion of the council of a city or village, to provide a system of sewerage and drainage, for such municipal corporation, or any part thereof, it shall be the duty of the board of improvements to devise and form, or cause to be devised and formed, a plan of sewerage and drainage for the whole city or village, or such part thereof as may be designated by the council; but in all cities and villages the council may by ordinance, declare that the construction, maintenance, and cleaning of the sewers shall be under the care of a board, to be called the commissioners of sewers.

Board of improvements to devise a plan of sewerage.

SEC. 2. That said section 2366 of the revised statutes be

and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[House Bill No. 358.]

AN ACT

To authorize the city council of any city of the second grade of the first class to issue bonds for the improvement of its public parks.

Council of certain cities may issue bonds to improve parks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the second grade of the first class is hereby authorized to issue the bonds of such city in any sum not exceeding in the aggregate sixty thousand dollars, payable at such period or periods of time, not exceeding six years from their date, as such council may provide. Said bonds shall bear interest not exceeding six per cent. per annum, payable semi-annually, and to be sold for not less than their par value.

How moneys accruing shall be expended.

SEC. 2. That all moneys accruing from the sales of such bonds, shall be paid into the treasury of such city, and be expended only under the direction of the board of park commissioners of such city, for the permanent improvement of its public parks.

May levy additional tax to pay bonds.

SEC. 3. That the city council of any city, issuing bonds under the provisions of this act, is hereby authorized in addition to the tax levy already provided for by law, to levy such additional tax as may be necessary to pay the interest and principal of such bonds at maturity, and all such tax so levied and collected, shall be applied to such purpose and to no other.

SEC. 4. That this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[House Bill No. 115.]

AN ACT

For the protection and benefit of keepers of stallions in the state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the keeper of any stallion shall have a lien upon the get of any such stallion for the period of one year after birth of same for the payment of the service of any such stallion. Keeper of stallion to have lien upon get.

SEC. 2. Such keeper or owner of any stallion, in order to obtain and perfect such lien, shall, within ninety days from the time of the rendition of such service by any stallion, file with the recorder of the county where the service has been rendered, an affidavit of the amount due such keeper or owner for the said service, and for filing or making any copy of such affidavit, or the certificate of the date of such filing, the recorder shall be entitled to the same fees as are provided by law for like services in regard to chattel mortgages. Lien; how perfected.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 13, 1884.

[Senate Bill No. 79.]

AN ACT

To amend section 5175 of the revised statutes of Ohio, and to repeal section 5189*g* of an act passed March 29, 1881 (O. L. v. 78, p. 97).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fifty-one hundred and seventy-five of the revised statutes of Ohio be amended as to read as follows:

Section 5175. A challenge to the array may be made and the whole array set aside by the court, when the jury, grand or petit, was not selected, drawn or summoned, or when the officer who executed the venire did not proceed as prescribed by law. But no challenge to the array shall be made or the whole array set aside by the court, by reason of the misnomer of a juror or jurors; but on challenge, a juror or jurors may be set aside by reason of a misnomer in his or their names; but such challenge shall only be made before the jury is impaneled and sworn, and no indictment shall be quashed or verdict set aside for any such irregularity or misnomer if the jurors who formed the same possessed the requisite qualifications to act as jurors. When challenge to array of jury may be made. When juror may be set aside.

SEC. 2. That section 5175 of the revised statutes of Ohio, and section 5189*g*, of an act passed March 29, 1881 (O. L., v. 78, p. 97), be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 13, 1884.

[Senate Bill No. 67.]

AN ACT

To amend an act entitled "an act to amend sections 2197, 2198, and 2203, of the revised statutes of Ohio," passed April 7, 1882. (O. L. v. 79, p. 76).

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "an act to amend sections twenty-one hundred and ninety-seven, twenty-one hundred and ninety-eight, and twenty-two hundred and three, of the revised statutes of Ohio," passed April 7, 1882, be amended so as to read as follows:

Certain cities to be divided into districts for street cleaning purposes.

Section 2197. In cities of the second grade of the first class, the board of improvements shall divide such portion of the city having paved roadways into not less than three districts, for the purpose of contracting for sweeping and cleaning the paved streets, avenues, alleys, market places, and cross-walks within such districts.

Board to advertise for proposals to keep streets, etc., in repair.

Section 2198. The board in such city shall advertise for ten days, in not less than three newspapers of general circulation therein, for sealed proposals for cleaning, in such manner as the board may specify, all paved avenues, streets, alleys, market places and cross-walks within each of such districts, at a stated sum per annum, for a term of not less than one year, nor more than three years. The board shall also advertise for proposals for cleaning all the catch basins in the city at a stated sum per year; provided, that, in all cases, separate proposals may be received, and contracts made for any particular branch or division of the work herein provided for, at the option of the board of improvements; and provided further, that the person or party to whom any contract under this act shall be awarded, shall, before entering upon the performance of his contract, and within ten days after the same is awarded to him, execute a bond to the city, in the sum of five thousand dollars, with sureties to be approved by the mayor and board of improvements, conditioned for the faithful and prompt performance

Contractor o give bond.

of his duties and obligations under said contract, which bond shall be filed with the city clerk.

Payments, how made.

Section 2203. At the end of every two weeks, if the contracts have been faithfully performed, the board shall give, upon demand by the contractor, a certificate to the city auditor, for the one twenty-sixth part of the annual contract price; but the board may retain therefrom, as an additional guarantee for the faithful performance of the contract, such proportion thereof as it may deem just and equitable, which amount shall be stated in the contract; and upon presentation of such certificate to the city auditor, that officer shall draw his warrant upon the city treasurer for the amount stated in the certificate, which shall be paid by the city treasurer from the proper fund.

SEC. 2. That said act, entitled "an act to amend sections 2197, 2198 and 2203 of the revised statutes," passed April 7, 1882, is hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 13, 1884.

[Senate Bill No. 70.]

AN ACT

Supplementary to and explanatory of section 4836 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to section forty-eight hundred and thirty-six of the revised statutes, with sectional numbering as follows:

Commissioners of certain counties may order roads improved.

Section 4836*a*. That in counties containing a city of the third grade of the first class, when a petition, as provided in section forty-eight hundred and thirty-one of the revised statutes, shall be presented to the county commissioners, asking that a macadamized, stone or gravel road be constructed on the roadway of any state, county, township or free turnpike road, or any part thereof, then existing and in use, if in the opinion of the commissioners public utility requires it, shall enter on their records an order that the improvement be made, which order shall state the kind of improvement, the width and extent of the same, which shall include the necessary grading of such road and all necessary drains, ditches and culverts to the proper completion and maintenance of such road, and at the same time shall order that a portion of the cost and expense thereof,

Assessments; how made.

which shall not be less than one-third nor more than one-half of the total cost and expense thereof, shall be assessed and paid on the grand duplicate of the county, which order shall state the lands which shall be assessed according to the benefits to be derived therefrom, for the balance of the cost and the expense of the improvement, not so to be assessed and paid on the grand duplicate of the county.

When certain sections shall have no force.

Section 4836*b*. Whenever not less than one-third of the cost and expense of such improvement is by the commissioners ordered assessed and paid on the grand duplicate of the county as provided in this act, sections forty-eight hundred and thirty-seven, forty-eight hundred and thirty-nine, forty-eight hundred and forty, and all the prohibitions of section forty-eight hundred and thirty-six of the revised statutes, against the commissioners making an order for the improvement, until a majority of the resident landholders of the county whose lands are reported as benefited, and ought to be assessed, subscribe the petition therefor, etc., shall have no force or effect in such county; and except as otherwise provided in this act the provisions of chapter eight, title seven of the revised statutes of Ohio, shall be and remain in force and effect in such county; and for the purpose of providing for the construction of such macadamized, stone or gravel roads, and that provision be made for the assessment and payment of not less than one-third the cost and expense thereof on the grand duplicate of the county, the commissioners of such county are hereby authorized to levy upon the grand duplicate of the county not exceeding seven-tenths of one mill in any one year upon each dollar of the valuation of the taxable property in such county.

Cost and expense of, how paid.

Annual repairs; for which additional levies authorized.

And the commissioners shall annually cause the necessary repairs to be made on such roads already constructed, or hereafter to be constructed, for their proper maintenance, and for such purpose may and are hereby authorized to levy a tax upon the grand duplicate of the county not exceeding one-tenth of one mill in any one year upon each dollar of the valuation of taxable property in such county, and said respective levies shall be in addition to all other levies authorized by law, and the proceeds of the levies hereby authorized to be made shall be by the commissioners applied and used in the construction or repair of such macadamized, stone or gravel roads, as the case may be, and for no other purpose; that the provisions of "an act to authorize certain cities to build bridges and to issue bonds therefor." passed March 24, 1883, requiring all levies upon the property within any city of the third grade of the first class, made by the county commissioners for road purposes, to be paid into the treasury of such city, shall in no wise conflict with the provisions of this act, and the levies specifically authorized herein, the proceeeds of which are to be applied and used in the construction or repair of such roads.

SEC. 2. For the purpose of more fully carrying out the provisions of this act, the county commissioners are not required, in the execution of the same, to be governed by section 4842 of the revised statutes of Ohio.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 13, 1884.

[Senate Bill No. 66.

AN ACT

Empowering cities of the second grade of the first class, and cities having by the last federal census a population of fifteen thousand four hundred and thirty-five, to establish a hospital fund and a board of hospital commissioners.

Certain cities authorized to establish hospital fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the second grade of the first class, having a population by the last federal census of fifteen thousand four hundred and thirty-five, are hereby authorized to establish a fund, to be known as the hospital fund.

Fund; how expended.

SEC. 2. Said fund, or expenditures therefrom, shall not exceed the sum of twenty thousand dollars per annum, and in no event shall a charge be made against such fund other than the necessary expense of the government of the commission and for the actual care of indigent sick, and injured persons, at a rate not to exceed one dollar per day for each patient, and the expense of conveying the same to such hospitals as the city may arrange with.

Annual transfer and additional levy authorized.

SEC. 3. Such cities may for this purpose transfer annually an amount not exceeding eighteen thousand dollars, from any moneys arising from the tax authorized by an act entitled "an act further providing against the evils resulting from the traffic in intoxicating liquors," passed April 17, 1883; or such cities may, for said purpose, make an annual levy additional to that already authorized in such cities, of sufficient amount to produce the sum named in the foregoing section; provided, that in cities having a population by the last federal census of fifteen thousand four hundred and thirty-five, the sum authorized to be transfered by this act shall not exceed five thousand dollars.

Commission to manage fund.

SEC. 4. Any such city availing itself of the powers herein granted, shall create a commission for the management of said fund in the following manner: Three resident citizens

shall be appointed by the mayor, and confirmed by the city council, to serve without compensation for terms of one, two and three years, respectively, and one annually thereafter to serve for three years. Said board shall adopt such rules for its government and the management of said fund as the city council shall approve.

City clerk to act as clerk of commission.

SEC. 5. Said board shall have power to appoint the city clerk as clerk of said commission, to serve without extra compensation; and it is hereby made the duty of said city clerk to perform such clerical duties as the commission shall by rules determine.

Claims, how paid.

SEC. 6. No bills shall be paid from the said hospital fund until the same shall have been passed upon and approved by said commission, when the same shall be paid by the auditor's voucher on the city treasurer, in the same manner as provided for other claims against the city.

SEC. 7. This act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 15, 1884.

[Senate Bill No. 36.]

AN ACT

To amend sections 4461, 4472 and 4473 of the revised statutes of Ohio, as amended April 20, 1881, vol. 78, pages 205 and 206 of the O. L.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That original sections 4461 and 4472, and 4473 of the revised statutes of Ohio, as amended April 20, 1881, vol. 78, pages 205 and 206 of the Ohio laws, be amended to read as follows:

County ditches; commissioners to fix compensation and damages.

Section 4461. The commissioners shall, upon actual view of the premises, fix and allow such compensation for lands appropriated as they may deem just and equitable, and assess such damages as will in their judgment accrue from the construction of improvement, to each person or corporation making application therefor as provided in the preceding section, and without such application, to each idiot, insane person, or minor owning lands taken or affected by the improvement.

Compensation, how to be computed.

But such compensation shall be computed without deduction for benefits to any property of such person or corporation; and they may on the day set for hearing at the time of the view of the premises provided for in this section, take into consideration the applications for the change or altera-

tions as provided for in the preceding section. and if they find that such change or alteration will be equally beneficial, they may order the surveyor or engineer to go upon the line of the improvement and survey said change or alteration; and all expenses attending the making said alteration and change, with the increased cost of construction, if any, shall be charged to the party or parties benefited thereby, which shall be collected and paid by them as other assessments. When the allowance for compensation and damages is fixed and determined as provided in this section, the commissioners shall consider and determine according to their best knowledge and judgment the proportionate benefits to accrue from the construction of the proposed improvement. If they shall find that the public health, convenience or welfare will be promoted by said improvement, and that the same is of sufficient importance to the public to cause the damages and compensation which have been assessed to be paid out of the county treasury, they shall order the same to be so paid, or they may order a portion thereof to be paid by the county and the remainder by the benefited landowners, as they may deem just and equitable. But if in their opinion such improvement is not of sufficient importance to the public to cause such damages and compensation, or any part thereof to be paid by the county, they shall fix and determine the proportionate amount thereof which should be paid by the several landowners benefited by the improvement. And in either case the commissioners shall direct the auditor to issue an order on the county treasurer to each of the several claimants to whom compensation or damages was allowed for the amount due, and to enter on the ditch duplicate the amounts assessed against the several benefited landowners for the payment of such compensation and damages, payable in the same ratio and manner as other assessments, and to be collected as other taxes. In the assessment for the payment of compensation and damages, whether the whole or a part thereof be ordered paid by the benefited landowners, the commissioners shall apportion the same on all the lots and lands, and public or corporate roads or railroads that will be benefited.

When compensation to be paid by county.

When to be paid jointly.

Auditor to issue warrant.

Assessment how apportioned.

Provided, however, that if any person or corporation aggrieved by any final order or judgment of the commissioners shall at the final hearing before them, or within such time as may be provided by law, file a written notice of an intention to appeal therefrom, no further proceeding shall be had and no payments shall be made as herein provided until said proceedings on appeal shall be finally disposed of and determined.

Proviso.

Section 4472. If the jury find that the improvement is necessary, and the same will be conducive to the public health, convenience or welfare, and is practicable, the commissioners shall apportion the compensation and damages as directed in section (4461) forty-four hundred and sixty-one. They shall also assess and apportion the costs as directed by

Costs when jury find for improvement.

the probate court, and order the auditor to place the same on the duplicate to be collected as other taxes, and may in addition thereto, sue upon the bond given for the payment of costs, and execution may be sued out of the probate court for the collection of any costs taxed against any party, as is provided in section forty-four hundred and seventy. Any costs taxed against the commissioners shall be paid out of the general county ditch fund.

Costs when probate court confirms assessment.

Section 4473. If by the final decision in the probate court, any claimant of compensation and damages do not obtain a greater sum than was allowed and awarded to him by the order of the commissioners from which he appealed, he shall pay all costs created by his appeal so far as the court can ascertain the same. And the commissioners shall assess and apportion the compensation and damages found by the jury, as directed in section (4461) forty-four hundred and sixty-one, and the commissioners shall assess and apportion the costs as directed by the probate court, which shall be collected and paid as directed and provided in section forty-four hundred and seventy-two.

SEC. 2. That said original sections 4461, 4472 and 4473, as amended April 20, 1881, vol. 78, O. L., pp. 205 and 206, be and they are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage, and apply to and affect pending proceedings or suits so far as the foregoing provisions are applicable.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 15, 1884.

[Senate Bill No. 85.]

AN ACT

Making an appropriation to rebuild the road leading from the south bridge in Athens, Athens county, to the asylum for the insane.

Authorizing improvement of certain road to Athens asylum.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the superintendent of the Athens asylum for the insane is hereby authorized, with the consent of the commissioners of Athens county, to macadamize and rip-rap the road leading from south bridge in the village of Athens, to the Athens asylum for the insane, and for that purpose there be and is hereby appropriated out of the general fund not otherwise appropriated, the sum of two thousand dollars, to be expended by said superintendent under the direction of the trustees of said asylum.

Appropriation for.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 15, 1884.

[Senate Bill No. 92.]

AN ACT

To amend an act entitled "an act supplementary to 'an act to provide for the completion of volume V., geology of Ohio,' passed April 17, 1882," passed April 19, 1883 (O. L. v. 80, pp. 199 and 200).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three of the above recited act be amended so as to read as follows:

Section 3. Of the copies of volume V. that are published, the following distribution shall be made, viz.:

Distribution of volume V. geology.

To the state library, five hundred copies, to be used in exchange with public libraries of other states, and to be furnished to public libraries of this state; a sufficient number to be retained for the use of the state library, and the remainder, if any, to be sold at the cost of publication, under the direction of the commissioners of the library.

To the chief geologist and his assistants, two hundred copies.

To each state officer and to each state institution, one copy.

Copies to be sold at cost.

To be deposited with the secretary of state, to be sold at cost of publication, under such regulations as he may establish, one thousand copies.

The remainder to be equally divided among the members of the sixty-sixth general assembly.

SEC. 2. That said original section three of the act supplementary, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 15, 1884.

[Senate Bill No. 104.]

AN ACT

Supplementary to an act passed April 19, 1883, entitled "an act supplementary to 'an act to provide for the completion of volume V., geology of Ohio,' passed April 17, 1882" (O. L. v. 80, pp. 199 and 200.

Appropriation for completion of volume v, geology; how available.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the appropriation made "for the completion of the field and chemical work of the survey, for the revision and preparation of the manuscript of said volume V., for the engraving and printing of suitable maps and illustrations, and for superintending the publication and proof-reading of said volume" shall also be available for the purchase of paper and in payment for printing, in addition to what has already been appropriated for these several purposes, specifying as the needs of said volume may require.

Duties of state geologist, as to.

SEC. 2. The state geologist is hereby instructed to use, as far as practicable, any and all balances remaining from the several appropriations above named in the publication of such descriptions and figures of fossils as have been already prepared for publication at the expense of the state, and to include said descriptions and figures in said volume V.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 18, 1884.

[House Bill No. 249.]

AN ACT

Supplementary to section 148 of the revised statutes of Ohio, as amended April 18, 1881 (v. 78, p. 186).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a supplementary section be enacted to section one hundred and forty-eight, with sectional numbering as follows:

Articles of incorporation, fees for filing.

Section 148*a*. Upon the filing of articles of incorporation by any persons desiring to become incorporated under the laws of this state, there shall be paid to the secretary of state the following fees:

For a company whose capital stock is five thousand dollars or under, five dollars; for a company whose capital stock is over five thousand dollars and not to exceed ten thousand dollars, ten dollars; over ten thousand dollars and not to exceed twenty-five thousand dollars, fifteen dollars; over

twenty-five thousand dollars and not to exceed fifty thousand dollars, twenty-five dollars; over fifty thousand dollars and not to exceed one hundred thousand dollars, forty dollars; over one hundred thousand dollars and not to exceed three hundred thousand dollars, sixty five dollars; over three hundred thousand dollars and not to exceed five hundred thousand dollars, ninety dollars; over five hundred thousand dollars and not to exceed eight hundred thousand dollars, one hundred and fifteen dollars; over eight hundred thousand dollars and not to exceed one million dollars, one hundred and fifty dollars; over one million dollars, two hundred dollars.

For an increase of capital stock, the same proportionate charge for such increase shall be made.

Building associations.

Provided, however, that building associations shall pay ten dollars for each certificate of incorporation filed, and five dollars for every increase of capital stock.

Religious companies, etc.

Provided, however, in case of companies formed for religious, benevolent or literary purposes, or such companies as are not organized for profit or having no capital stock, these fees shall not apply, but a fee of two dollars shall, in such cases, be charged.

Mutual companies.

Mutual insurance companies and such other mutual companies not organized strictly for benevolent or charitable purposes, shall pay a fee of twenty-five dollars.

For making additional copies of articles of incorporation and for making copies in all other cases for such companies, the fees provided for in original section one hundred and forty-eight shall be charged. And all fees herein established shall be paid into the state treasury as provided in said original section.

SEC. 2. This act shall take effect and be in force on and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 18, 1884.

Senate Bill No. 132.]

AN ACT

To amend section 7278 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section seventy-two hundred and seventy-eight of the revised statutes of Ohio be amended so as to ead as follows:

Section 7278. The following shall be good causes for challenging to any person called as a juror on any indictment:

Causes of challenge of jurors.

First. That he was a member of the grand jury which found the indictment.

Second. That he has formed or expressed an opinion as to the guilt or innocence of the accused; but if a juror has formed or expressed an opinion as to the guilt or innocence of the accused, the court shall thereupon proceed to examine such juror on oath as to the grounds of such opinion, and if such juror shall say that he believes he can render an impartial verdict notwithstanding such opinions, and if the court is satisfied that such juror will render an impartial verdict on the evidence, may admit him as competent to serve in such case, as a juror.

Third. In indictments for an offense, the punishment whereof is capital, that his opinions are such as to preclude him from finding the accused guilty of an offense punishable with death.

Fourth. That he is related within the fifth degree to the person alleged to be injured, or attempted to be injured by the offense charged, or to the person on whose complaint the prosecution was instituted, or to the defendant.

Fifth. That he served on a petit jury which was drawn in the same cause against the same defendant, and which jury was discharged after hearing the evidence, or rendered a verdict which was set aside.

Sixth. That he served as a juror in a civil case brought against the defendant for the same act.

Seventh. That he has been in good faith subpœnaed as a witness in the case.

Eighth. That he is a habitual drunkard.

Ninth. The same challenges shall be allowed in criminal prosecutions that are allowed to parties in civil cases.

SEC. 2. That said original section 7278 of the revised statutes be, and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 18, 1884.

[House Bill No. 20.]

AN ACT

Supplementary to an act entitled "an act to revise and consolidate the general statutes of Ohio," passed June 30, 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the following sections be enacted as supplementary to chapter one, title two, part second, of the revised

statutes of Ohio, with sectional numbering as herein provided.

Corporations may limit votes of stockholders.

Section 3245*a*. A corporation may provide in its articles of incorporation that each stockholder, irrespective of the amount of stock he may own, shall be entitled to one vote, and no more, at any election of directors or upon any subject submitted at a stockholders' meeting, and when such provision is made it shall be governed thereby.

Provisions to which such corporations are subject.

Section 3245*b*. Every corporation where articles of incorporation contain the limitation mentioned in section thirty-two hundred and forty-five (*a*), shall be subjected to the following provisions:

1. No person shall hold or own stock in excess of one thousand dollars face value.

2. The directors shall annually, within thirty days after the thirty-first day of December, make and file with the recorder of the county in which the corporation is doing business, a statement of its financial condition upon the said thirty-first day of December, plainly setting forth its assets and liabilities in detail, the amount of its paid up capital stock, the names of its stockholders, and the number of shares owned by each, and said statement shall be signed and sworn to by a majority of the directors, including the treasurer, before any officer authorized to administer oaths in this state. If the board of directors fail to make the annual statements required by this section, or if they make a false statement, they shall be personally liable for all claims and demands against such corporation.

3. By-laws for the government of the corporation, and for the distribution of its net earnings among its workmen, patrons and shareholders, not inconsistent with the constitution and laws of the state, may be made by the stockholders.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 19, 1884.

[House Bill No. 246.]

AN ACT

To amend section 4078 of the revised statutes of Ohio, as amended April 11, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-hundred and seventy-three of the revised statutes be so amended as to read as follows:

Powers of county examiners as to teachers' certificates.

Section 4073. The board may grant certificates for one, two, three, four and five years, which shall be valid in the county wherein they are issued, except in city and village districts, in which they will not be valid unless indorsed by the president and secretary of the board of examiners of such districts; and if at any time the recipient of a certificate be found intemperate, immoral, incompetent, or negligent, the examiners, or any two of them, may revoke the certificate, but such revocation shall not prevent a teacher from receiving pay for services previously rendered.

SEC. 2. That said original section 4073, as amended April 11, 1882, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 19, 1884.

[House Bill No. 294.]

AN ACT

To amend section 4831, revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand eight hundred and thirty-one be amended so as to read as follows:

Two-mile assessment pikes; petition for improvement of.

Section 4831. Upon the presentation of a petition stating the kind of improvement prayed for and the points between which the same is asked, signed by five or more of the landholders whose lands will be assessed for the expense of the same, and the filing of a bond signed by one or more responsible freeholders to whom the petitioners shall be responsible, pro rata, conditioned for the payment of the expenses of the preliminary survey and report, if the improvement be not finally ordered, the commissioners shall appoint three disinterested freeholders of the county as viewers and a competent surveyor or engineer, to proceed upon a day to be named by the commissioners to examine, view, lay out, or straighten such road, as in their opinion public convenience and utility require.

Viewers; how appointed, and duties of.

Proviso.

Provided, that in locating such improvement within the territorial limits of any incorporated village or town, the engineer and viewers shall be confined to the platted streets of such village or town.

SEC. 2. Said original section be and the same is hereby

repealed, and this act shall take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 20, 1884.

[Senate Bill No. 60.]

AN ACT

To amend section 3309*a* of the revised statutes of Ohio, as amended March 13, 1883. (80 O. L., 55).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-three hundred and nine (*a*) of the revised statutes of Ohio, as amended March 13, 1883, be so amended as to read as follows:

Section 3309*a*. Any railroad company now or hereafter organized under the laws of this state, and any such company which now is or shall hereafter be consolidated with other companies, as provided in sections thirty-three hundred and seventy-nine, thirty-three hundred and eighty, thirty-three hundred and eighty-one, and thirty-three hundred and eighty-two of the revised statutes, may, at a meeting of its stockholders, called as provided in section thirty-three hundred and eight, in lieu of issuing preferred stock as provided in section thirty-three hundred and nine, provide for borrowing money to locate, construct and equip its proposed line of railway, or for the purpose of leasing or purchasing and equipping branch or connecting roads constructed or in process of construction, not exceeding ten miles in length, or for redeeming or exchanging any part or all of its previously issued bonds, or for funding its floating debt, or for any or all of said purposes, in such an amount as it may deem necessary, not exceeding its authorized capital stock, and at such rates of interest as may be agreed upon between the respective parties, not exceeding seven per cent. per annum, payable semi-annually or quarterly, as they may direct, and may execute and issue securities therefor, and to secure the payment thereof may pledge the entire property and net income of such company by mortgage or otherwise. Said securities may be expressed in dollars or in the currency of the country where disposed of, and may be disposed of upon such terms and at such prices as may be agreed upon between the respective parties, not inconsistent with the laws of this state. The proceeds of sale of such securities shall be applied only as now required by law; provided, that nothing in this section or in the sections of the revised statutes relating to railroad companies prior to section thirty-four hundred and thirty-seven, other

Railroad companies may borrow money and issue securities in lieu of preferred stock.

How proceeds be applied.

than in sections thirty-two hundred and eighty-seven, thirty-two hundred and eighty-eight, and thirty-two hundred and eighty-nine shall be construed as affecting street railroads.

SEC. 2. That section 3309*a*, as amended March 13, 1883, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 20, 1884.

[House Bill No. 187.]

AN ACT

To define the duties of certain officers of the general assembly, and to provide payment for services rendered in the organization thereof.

General Assembly; duties of certain officers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be the duty of the following named officers in each branch of the general assembly of Ohio, to be present at the organization of the next succeeding general assembly, and to assist in the organization thereof, to wit: The chief clerk, journal clerk, message clerk, sergeant-at-arms of the senate, and the second assistant sergeant-at-arms of the Senate and House.

Compensation of.

SEC. 2. Said clerks and sergeants-at-arms of the Senate and House of Representatives shall each be entitled to receive pay for services so rendered, at the rate of five dollars per diem, for a period not exceeding ten days; provided, that in case either of said officers shall have been re-elected to his position in the succeeding legislature, he shall only be entitled to the pay heretofore provided by law.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 20, 1884.

[House Bill No. 35.]

AN ACT

To amend sections 1301 and 1302 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirteen hundred and one and section

thirteen hundred and two of the revised statutes of Ohio be so amended as to read as follows:

Section 1301. All witnesses in civil causes shall be allowed the following fees: For each day's attendance at the court of common pleas or other court of record, to be paid by the party at whose instance he is summoned (on demand), and taxed in the bill of costs, one dollar, and five cents per mile from his place of residence to the place of holding said court and returning therefrom; for testifying before any officer authorized to take depositions under a subpœna, the sum of seventy-five cents, and five cents per mile from his place of residence to the place of taking depositions, to be paid by the party at whose instance he is summoned (on demand); for attending a coroner's inquest, one dollar per day and the mileage aforesaid, to be paid out of the county treasury; for attending any trial before a justice of the peace, or mayor of any municipal corporation, the sum of fifty cents a day and the mileage aforesaid; but no mileage shall be allowed in any case, where the distance from the place of residence of the witness, to the place where he shall be called upon to testify, is less than one mile.

Fees of witness and mileage.

When mileage not payable.

Section 1302. Witnesses attending under recognizance or subpœna, issued by order of the prosecuting attorney or defendant, before the court of common pleas, or grand jury, or other courts of record in criminal causes, shall be allowed the following fees: For each day's attendance, one dollar, and five cents per mile, the same as in civil causes, to be taxed in only one cause, when attending in more causes than one on the same days, unless otherwise directed by special order of the court; the fees provided for in this section shall be paid out of the county treasury, being first certified to the county auditor by the clerk of the court.

Witnesses in criminal causes in court of record, fees of.

SEC. 2. That said original sections 1301 and 1302 be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 20, 1884.

[House Bill No. 41.]

AN ACT

To amend section 4501 of the revised statutes of Ohio, and supplemental to the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section four thousand five hundred and one of the

revised statutes of Ohio be amended so as to read as follows:

Section 4501. The commissioners shall annually, if necessary, at their March session, levy upon the grand duplicate of the county, a tax not to exceed five-tenths of one mill on the dollar, sufficient to pay for the location and construction of such portions of the respective ditches located by them, or by the commissioners of two or more counties as may be apportioned to the county, and they shall pay out of any fund applicable to such purpose, any sum assessed upon land owned by the county. In all proceedings which have been or shall be commenced under this chapter, wherein compensation and damages, or either, has been or shall be awarded by the commissioners, under section forty-four hundred and sixty-one, or by a jury on appeal to the probate court, an amount of the county general ditch improvement fund in the county treasury sufficient to satisfy the same, shall be set apart and held as a deposit of money to secure and be subject to the payment of the same; and if in any such case there shall be an insufficient amount of such ditch improvement fund unappropriated in the treasury for such security and payment, then an amount of the general revenue fund in the county treasury, equal to such deficiency, together with such unappropriated residue of said ditch improvement fund, if any, shall be set apart and held for said purposes; and the commissioners shall, before the property for which compensation and damages has been awarded, shall have been actually taken and occupied for the purpose of its appropriation, order the auditor on demand of the corporation or person entitled thereto, to draw his warrant on the county treasury for the amount of such award, stating therein on what fund it is drawn, and deliver the same to the party so entitled, which shall be paid out of the county treasury; and all sums so paid shall be apportioned, assessed and reimbursed to said funds from the collection of assessments for compensation and damages, as provided in sections four thousand four hundred and seventy-nine and four thousand four hundred and eighty of the revised statutes, and said original section four thousand five hundred and one is hereby repealed.

General levy for ditch fund.

Proceedings when compensation or damages are awarded.

Auditor to draw warrant on county treasurer for amount of award.

Section 4501*a*. When all compensation and damages are ascertained, the commissioners shall meet and determine whether they will issue the bonds of the county to raise the money necessary to pay such compensation and damages, or any part thereof; and if so determined, the bonds shall be issued for a term of years, and at a rate of interest, as provided for the issuing of bonds, section four thousand four hundred and seventy-nine, which bonds shall not be sold below their par value.

Duties of commissioners when awards are made.

Section 4501*b*. The bonds provided for in this act, together with interest thereon, shall be paid as they respectively fall due, out of the county general ditch improvement fund.

Bonds, how paid.

SEC. 2. This act shall take effect on its passage, and shall apply to all such proceedings now pending, either before the

commissioners, the probate court, or in any of the courts, on error, appeal, injunction or otherwise.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 20, 1884.

[Senate Bill No. 6.]

AN ACT

To amend sections 4405, 4406, 4407, 4408, 4409, 4410, 4411 and 4412 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections forty-four hundred and five, forty-four hundred and six, forty-four hundred and seven, forty-four hundred and eight, forty-four hundred and nine, forty four hundred and ten, forty-four hundred and eleven [and] forty-four hundred and twelve of the revised statutes of Ohio be so amended as to read as follows:

Section 4405. It shall be unlawful for any person not a registered pharmacist to open or conduct any pharmacy or retail drug or chemical store, as proprietor thereof, unless he shall have in his employ and place in charge of such pharmacy, or store, a registered pharmacist within the meaning of this chapter, who shall have the supervision and management of that part of the business requiring pharmaceutical skill and knowledge; or to engage in the occupation of compounding or dispensing medicines on prescriptions of physicians, or of selling at retail for medicinal purposes, any drugs, chemicals, poisons, or pharmaceutical preparations within this state until he has complied with the provisions of this chapter; provided, nothing in this section shall apply to, or in any manner interfere with the business of any physician, or prevent him from supplying to his patients such articles as may seem to him proper, or with the making or vending of patent or proprietary medicines by any retail dealer, or with the selling by any country store of copperas, borax, blue vitriol, saltpeter, sulphur, brimstone, licorice, sage, juniper berries, senna leaves, castor oil, sweet oil, spirits of turpentine, glycerine, glauber salt, epsom salt, cream of tartar, bi-carbonate of sodium, and of paregoric, essence of peppermint, essence of cinnamon, essence of ginger, hive syrup, syrup of ipecac, tincture of arnica, syrup of tolu, syrup of squills, spirits of camphor, number six, sweet spirits of nitre, compound cathartic pills, quinine pills, and other similar preparations when compounded by a registered pharmacist and put up in bottles and boxes bearing the label of such pharmacist or wholesale druggist, with the name of the article and directions for its use on each bottle

Who may retail drugs.

Proviso.

or box, or with the exclusively wholesale business of any dealer.

How pharmaceutical examining board appointed.

Section 4406. The Ohio State Pharmaceutical Association shall, immediately upon the passage of this act, submit to the governor the names of ten persons, residents of this state, who have had at least ten years' experience as pharmacists and druggists, and from the names so submitted to him or others, the governor shall, with the approval of the Senate, select and appoint five persons, who shall constitute a board, to be styled the Ohio Board of Pharmacy; and any member of the board may be removed by the governor for good cause shown him; one member of said board shall be appointed, and hold his office for one year, one for two years, one for three years, one for four years, and one for five years, and until his successor shall be appointed and qualified; and at its regular annual meeting in each and every year thereafter, the said Ohio State Pharmaceutical Association shall select and submit to the governor the names of five persons, with the qualifications hereinbefore mentioned, and the governor shall, with the approval of the Senate, select and appoint from the names so submitted or others, one member of said board, who shall hold his office for five years, and until his successor shall be appointed and qualified. Any vacancy that may occur in said board shall be filled for the unexpired term by the governor, with the approval of the Senate. Each member of said board shall, within ten days after his appointment, take and subscribe an oath or affirmation, before a competent officer, to faithfully and impartially perform the duties of his office.

Vacancy in board, how filled.

Sessions of board, when and where held.

Section 4407. The Ohio Board of Pharmacy shall hold three regular meetings in each year; one at Cincinnati on the second Monday of January, one at Columbus on the second Monday of May, and one at Cleveland on the second Monday of October, and such additional meetings, at such times and places, as may be determined upon by said board, at each of which meetings it shall transact such business as is required of it by law; said board shall make such rules, by-laws and regulations as may be necessary for the proper discharge of its duties, and shall make a report of its proceedings, including an itemized account of all moneys received and expended by said board, pursuant to this chapter, and a list of the names of all pharmacists duly registered under this act, to the secretary of state on the 15th day of November, 1884, and annually thereafter, and to the Ohio State Pharmaceutical Association. Said board shall keep a book of registration open at some place in Columbus, of which due notice shall be given in three or more newspapers of general circulation in this state, in which the name and place of busines- of every person duly qualified under this chapter to conduct, or engage in the business mentioned and described in section forty-four hundred and five, shall be registered. Every person now conducting or engaged in such business in this state as proprietor or manager of the same, or who, being of the age of eighteen

Duties of board.

Register to be kept.

years, has been employed or engaged for three years preceding the passage of this act as an assistant in any retail drug store in the United States, in the compounding or dispensing of medicines on the prescriptions of physicians, who shall furnish satisfactory evidence in writing and under oath of such facts, within three months after the publication of said notice, shall be registered as a pharmacist or assistant pharmacist, as the case may be, without examination. Every person who shall hereafter desire to conduct, or engage in such business in this state, shall appear before said board, and be registered within ten days after receiving a certificate of competency and qualification from said board. The said board shall demand and receive for such registration from each and every person registered as a pharmacist, a fee of not exceeding three dollars, and from each and every person registered as an assistant pharmacist, a fee not exceeding two dollars, to be applied to the payment of the expenses arising under the provisions of this chapter. Provided, however, that no such fee shall be demanded of any person who has heretofore been registered as the proprietor or manager of such business or as an assistant therein, under the provisions of any law heretofore in force in this state. Every registered pharmacist, or assistant pharmacist, who desires to continue the practice of his profession, shall, triennially thereafter, during the time he shall continue in such practice, on such date as said board may determine, pay to the secretary of said board a registration fee, to be fixed by said board, but which shall in no case exceed, if a pharmacist, one dollar, if assistant pharmacist, fifty cents, for which he shall receive a renewal of said registration. Every certificate of registration granted under this act shall be conspicuously exposed in the prescription department of the drug or chemical store to which it applies, or in which the assistant is engaged. The secretary of said board shall receive a salary which shall be fixed by said board; he shall also receive his traveling and other expenses incurred in the performance of his official duties. The other members of said board shall receive the sum of three dollars for each day actually engaged in the service thereof, and all legitimate and necessary expenses incurred in attending the meetings of said board. Said salary, per diem and expenses shall be paid after an itemized statement of the same has been rendered and approved by the board from the fees and penalties received by said board under the provisions of this act. All moneys received in excess of said per diem allowance, and other expenses above provided for, shall be held by the secretary as a special fund for meeting the expenses of said board; he giving such bond as said board shall from time to time direct.

Who may be registered without examination.

Fee for registration.

Proviso.

Fee for renewal of registration.

Salary of secretary and board.

Excess of fees, how disposed of.

Section 4408. The Ohio Board of Pharmacy shall examine every person who desires to carry on or engage in the business of a retail apothecary, or of retailing any drugs, medicines, chemicals, poisons, or pharmaceutical preparations, or of compounding and dispensing the prescriptions

Duties of board with respect to examinations.

of physicians, as proprietor and manager, touching his competency and qualification for that purpose, and upon a majority of the board being satisfied of such competency and qualification, they shall furnish such person a certificate of his competency and qualification, as pharmacist, which certificate shall entitle the person named therein to conduct and carry on the business aforesaid, as proprietor and manager thereof, upon complying with the requirements of section forty-four hundred and seven; and such board shall also examine each person who desires to engage in such business as assistant pharmacist, touching his competency and qualification, and upon any such person passing a satisfactory examination, shall furnish a certificate setting forth that he is a qualified assistant in pharmacy, which certificate shall enable the person named therein to engage in said business as an assistant pharmacist upon his complying with the provisions of section forty-four hundred and seven.

To whom preceding provisions do not ap-

Section 4409. The provisions of [section] forty-four hundred and eight shall not apply to any person engaged in the retail drug and apothecary business, as proprietor or manager of the same, at the time of the passage of this act, or who, being at the age of eighteen years has been continuously employed or engaged for three years immediately preceding the passage of this act as assistant in any retail drug store in the United States, in the compounding or dispensing of medicines on the prescriptions of physicians, who has complied with the provisions of section forty-four hundred and seven.

Assistant druggist to be qualified.

Section 4410. No person, not a qualified assistant, shall be allowed by the proprietor or manager of any retail drug or chemical store, to compound or dispense the prescriptions of physicians, except as an aid under the supervision of the proprietor or manager, or his qualified assistant.

Qualifications of assistants.

Section 4411. A qualified assistant, within the meaning of this chapter, shall be a clerk or assistant in a retail drug or chemical store, who shall furnish to the Ohio Board of Pharmacy such evidence of his employment as is required by section forty-four hundred and seven; or a person holding the certificate of said board, as an assistant pharmacist, as provided in section forty-four hundred and eight.

Penalties.

Section 4412. A person violating the provisions of section forty-four hundred and seven relating to registration, renewal of registration, or failing to conspicuously expose such certificate of registration, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined in any sum not exceeding one hundred dollars for each week he continues to carry on or to be engaged in such business without such registration, and for the violation of any of the provisions of section forty-four hundred and ten, such pharmacist shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding fifty dollars for each and every offense; all fines assessed for the violation of any of the provisions of this act shall be placed in the county treasury for the use and benefit of the common school fund

of the county in which such offense is committed; provided, that nothing in this act shall be so construed as to in any way affect the right to any person to bring a civil action against any person referred to in this act for any act or acts for which a civil action may now be brought.

SEC. 2. Original sections 4405, 4406, 4407, 4408, 4409, 4410, 4411 and 4412 of the revised statutes of Ohio are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 141.]

AN ACT

To amend sections 4996 and 5819 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections forty-nine hundred and ninety-six and fifty-three hundred and nineteen of the revised statutes of Ohio be amended so as to read as follows:

Section 4996. A married woman shall sue and be sued as if she were unmarried, and her husband shall be joined with her only when the cause of action is in favor of or against both her and her husband.

How married women shall sue and be sued.

Section 5319. When a married woman sues or is sued, like proceedings shall be had and judgment rendered and enforced as if she were unmarried, and her property and estate shall be liable for the judgment against her, but she shall be entitled to the benefits of all exemptions to heads of families.

Judgment against married woman.

SEC. 2. That said original sections 4996 and 5319 be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 341.]

AN ACT

To amend section 2502 of the revised statutes of Ohio, as amended April 18, 1883 (O. L. v. 80, p. 178).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-five hundred and two of the revised statutes of Ohio, as amended April 18, 1883, be amended so as to read as follows:

Proceedings to establish a street railroad route.

Section 2502. Nothing mentioned in the next preceding section shall be done; no ordinance or resolution to establish or define a street railroad route shall be passed, and no action inviting proposals to construct and operate such railroad shall be taken by the council, except upon the recommendation of the board of public works in cities having such a board, and of the board of improvements in other municipalities having such a board; and no ordinance for the purpose specified in said preceding section shall be passed until public notice of the application therefor has been given by the clerk of the corporation in one or more of the daily papers, if there be such, and if not then in one or more weekly papers published in the corporation, for the period of at least three consecutive weeks; and no such grant as mentioned in said preceding section shall be made, except to the corporation, individual or individuals, that will agree to carry passengers upon such proposed railroad at the lowest rates of fare, and shall have previously obtained the written consent of a majority of the property-holders upon each street or part thereof, on the line of the proposed street railroad, represented by the feet front of the property abutting on the several streets along which such road is proposed to be constructed; provided, that no grant nor renewal of any grant for the construction or operation of any street railroad, shall be valid for a greater period than twenty-five years from the date of such grant or renewal; and after such grant or renewal of a grant is made, whether by special or general ordinance, the municipal corporation shall not, during the term of such grant or renewal, release the grantee from any obligation or liability imposed by the terms of such grant or renewal of a grant.

Grant not valid for more than 25 years.

SEC. 2. That said section 2502 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER.
Speaker pro tem. of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 18.]

AN ACT

To provide against the adulteration of food and drugs.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That no person shall, within this state, manufacture for sale, offer for sale, or sell any drug or article of food which is adulterated, within the meaning of this act.

SEC. 2. The term "drug," as used in this act, shall include all medicines for internal or external use, antiseptics, disinfectants and cosmetics. The term "food," as used herein, shall include all articles used for food or drink by man, whether simple, mixed, or compound. Term drug defined.

SEC. 3. An article shall be deemed to be adulterated within the meaning of this act:

(*a*) In the case of drugs: (1) If, when sold under or by a name recognized in the United States Pharmacopœia, it differs from the standard of strength, quality or purity laid down therein; (2) If, when sold under or by a name not recognized in the United States Pharmacopœia but which is found in some other pharmacopœia, or other standard work on meteria medica, it differs materially from the standard of strength, quality, or purity laid down in such work; (3) If its strength, quality or purity falls below the professed standard under which it is sold. When drugs deemed adulterated.

(*b*) In the case of food: (1) If any substance or substances have been mixed with it, so as to lower or depreciate, or injuriously affect its quality, strength or purity; (2) If any inferior or cheaper substance or substances have been substituted wholly or in part for it; (3) If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; (4) If it is an imitation of, or is sold under the name of another article; (5) If it consists wholly, or in part, of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not—or, in the case of milk, if it is the produce of a diseased animal; (6) If it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; (7) If it contains any added substance or ingredient which is poisonous or injurious to health, or any deleterious substance not a necessary ingredient in its manufacture; provided, that the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles of food, if the same be distinctly labeled as mixtures or compounds, and are not injurious to health, and contain no ingredient not necessary to the preparation of a genuine article of such mixtures or compounds, and from which no necessary ingredient in its preparation is eliminated. When food deemed adulterated.

SEC. 4. Every person manufacturing, offering or exposing for sale, or delivering to a purchaser, any drug or article of food included in the provisions of this act, shall furnish to

Sample may be demanded for analysis.

any person interested, or demanding the same, who shall apply to him for the purpose, and shall tender him the value of the same, a sample sufficient for the analysis of any such drug or article of food which is in his possession.

Penalties.

SEC. 5. Whoever refuses to comply, upon demand, with the requirements of section four, and whoever violates any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding one hundred nor less than twenty-five dollars, or imprisoned not exceeding one hundred nor less than thirty days, or both. And any person found guilty of manufacturing, offering for sale or selling an adulterated article of food or drug under the provisions of this act, shall be adjudged to pay, in addition to the penalties hereinbefore provided for, all necessary costs and expenses incurred in inspecting and analyzing such adulterated articles of which said person may have been found guilty of manufacturing, selling or offering for sale.

SEC. 6. This act shall take effect and be in force in forty days from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[Amended House Bill No. 88.]

AN ACT

To amend section 7657 of the revised statutes of Ohio, as amended April 6, 1881, and also to amend section 7658 of the revised statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 7657 of the revised statutes of Ohio, as amended April 6, 1881, and section 7658 of the revised statutes be so amended as to read as follows:

Engineer of public works—how appointed.

Section 7657. The office of engineer of public works is hereby created, and said officer shall be appointed by the governor, with the consent of the senate; he shall be a practical civil engineer, and shall hold his office for the term of two years unless the state releases the public works. His

Salary.

salary shall be at the rate of two thousand dollars per annum, to be paid monthly out of the canal fund after the services are rendered, upon the order of the board of public works and on the warrant of the auditor of state, and he

Bond and oath.

shall give bond, with good and sufficient security, in the sum of ten thousand dollars, conditioned for the faithful performance of his duties, and shall take an oath of office similar to that prescribed in section three for the officers therein named.

He shall, under such rules and regulations as the board of public works may prescribe, have supervision and oversight of the several superintendents, and other officers, and report delinquencies whenever they occur. And the board may appoint an assistant engineer, who shall be a practical civil engineer, and shall hold his office for two years unless sooner removed, and shall be subject to such rules and regulations, not contrary to law, as may be from time to time prescribed by the board. He shall receive a salary not exceeding sixteen hundred dollars per annum, payable monthly after the services are rendered upon the order of the board, on the warrant of the auditor of state. He shall give bond, with good and sufficient securities, to be approved by the board, in the sum of ten thousand dollars, conditioned for the faithful performance of his duties, and shall take an oath similar to the one taken by the chief engineer. The chief engineer shall have general supervision, under the direction of the board, of all the public works belonging to this state, and shall perform such other duties as the board shall from time to time direct. Said board shall have power to regulate the rate of tolls to be collected on the public works of this state, and to appoint collectors of the same, together with the water rents and fines, at such points as shall have been or may be established for the collection of tolls, as hereinafter provided; and said collectors shall be governed by such rules and regulations as the said board may prescribe, not inconsistent with law. Said board of public works shall have power to appoint one secretary, whose salary shall not exceed fifteen hundred dollars per annum, who shall be paid monthly after the services are rendered, upon the order of the board on the warrant of the auditor of state. They shall also have power to appoint one clerk, if necessary, at a cost not exceeding seven hundred dollars per annum, to be paid in the same manner as the secretary. They shall also have power to appoint superintendents of repairs not exceeding eleven in number, whose aggregate salaries shall not exceed twelve thousand five hundred dollars per annum, and assign them to such districts or divisions of said public works as, in the judgment of the board, may be proper to assure the efficient management, repair, and preservation of said public works; and also to appoint the necessary number of lock tenders, and other employes, and assign them to post of duty, under such rules and regulations as may be prescribed for their government. Each collector of tolls and superintendent shall, before he enters upon the discharge of his duties as such, give bond to the state of Ohio in such sum as the board of public works may require, conditioned for the faithful discharge of the duties of his office and the proper accounting for all moneys coming into his hands as such an officer, which bond, with sufficient security, approved by the board, shall at once be deposited with the auditor of state, together with the oath or affirmation of such officer that he will faithfully and diligently discharge all the duties appertaining to his office, and promote to the extent of his

Shall have supervision of superintendents, etc.

Board may appoint assistant engineer.

Salary.

Bond and oath.

Board to regulate tolls, water rents, fines, and appoint collectors.

Secretary of board.

Clerk.

Superintendents of repairs.

Lock tenders, etc.

Engineers, collectors, etc., to give bond and take oath.

ability the interest of the state, so far as may be legally in his power; said oath shall be taken before an officer having the power to administer oaths, and shall be certified and attested by such officer in duplicate certificates, one of which shall be filed in the office of the board of public works, and the other in the office of the auditor of state. The secretary, clerk, collectors of tolls, superintendents of repairs, lock tenders, and other necessary employes, shall be appointed during the pleasure of the board of public works, and may be removed from office or employment at any time when, in the judgment of the board, the public interest will be promoted thereby; the board shall fix the rate of salaries to be paid monthly out of the canal fund, upon the order of the board of public works on the warrant of the auditor of state, to the collectors, superintendents, lock tenders, and other necessary employes, grading the same according to the services and labor to be performed in each case. All vacancies that may occur by reason of death, resignation, or otherwise, shall be filled by the board of public works, in the same manner as appointments are made.

Board to fix salaries of certain officers.

Vacancies; how filled.

How employes to be paid, and materials purchased.

Section 7658. To provide for the prompt payment of all employes and laborers, and for the purchase of all materials and for incidental expenses in the current repairs of the public works of the state, the superintendent of each division shall, at the close of every month, file with the engineer duplicate time rolls of all employes and laborers employed during the month, together with itemized bills of all materials purchased for the use of the state, and bills for the subsistence of horses, and for the board of hands, where the state is liable for such board, and other contingencies; and upon examination thereof, said engineer shall, if he approve the same, issue his certificate in favor of such superintendent of repairs, and immediately notify the secretary of said fact, upon which the acting commissioner in charge, if satisfied that the certificate is correct, shall issue his check on the auditor of state, whose duty it shall be to issue his warrant on the treasurer of state for the amount specified in the check, and charge the same to the canal fund, to which fund all receipts from tolls, fines, and water rents shall be credited; and the superintendent, upon receiving the money, shall immediately proceed to pay all the indebtedness which he may have incurred on behalf of the state for labor, material, repairs, etc., on the division in his charge; and without delay after such payment, said superintendent shall file the original copy of the accounts theretofore filed, with the engineer, properly attested by the receipts of all parties named therein, as his voucher for money paid out, with the secretary of the board, whose duty it shall be to examine the same, and if found by him to be correct, he shall credit the amount of the same to the account of said superintendent.

Receipts from tolls, water rents, etc., to be credited to the canal fund.

SEC. 2. That said section 7657, as amended April 6, 1881, and said original section 7658 be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after March 25, 1884, except that the present chief engineer shall hold his office until the close of the time for which he was appointed.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 24, 1884.

[House Bill No. 2.]

AN ACT

To amend an act entitled an act "To provide a license on trades, business and professions carried on in cities of the first grade of the first class, and providing for the enforcement and collection of fines and penalties for carrying on business without license and for other purposes." Passed April 16, 1883. (O. L. v. 80, p. 129).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the word "mediums" be stricken from the title of section thirty-six of said act, and that said section thirty-six be so amended as to read as follows:

Section 36. Astrologers, fortune-tellers, clairvoyants, palmisters, and seers, shall pay a license of three hundred ($300) dollars per annum. Astrologers, fortune-tellers, etc.; license of.

SEC. 2. That said section 36 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 24, 1884.

[House Bill No. 314.]

AN ACT

To amend sections 3886 and 3898 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections thirty-eight hundred and eighty-six and thirty-eight hundred and ninety-eight of the revised statutes of Ohio be so amended as to read as follows:

Section 3886. Each city having a population of ten thousand or more, by the census of 1880, including the territory attached to it for school purposes, and excluding the territory City school district of first class.

within its corporate limits detached for school purposes, shall constitute a school district, to be styled a city district of the first class; and each city that has heretofore been constituted a city district of the first class shall remain such.

Board of education in district of first class, how elected.

Section 3898. At every annual election for city officers in a city which constitutes a district of the first class, and wherein the board consists of two members for each ward, there shall be elected in each ward, by the qualified electors thereof, one judicious and competent person to serve as a member of the board of education of the district, for two years from the third Monday of April succeeding his election, and until the election and qualification of his successor. Provided, that at the annual election for city officers held first after a city has been constituted a city district of the first class, with a board to consist of two members from each ward, there shall be elected in each ward of such city by the qualified electors of such ward and of said district entitled to vote in such ward, two persons of the required qualifications to serve as members of the board of education of such district, one for one year and the other for two years, from the third Monday of April succeeding their election, and until the election and qualification of their successors. And provided, that any elector residing in such district, but not in any ward of such city, shall, if the territory containing his residence has not been attached to any ward for school purposes, as provided in section thirty-nine hundred, be entitled to vote for members of the school board in the ward nearest his residence; and in such case a separate ballot-box and poll-book shall be provided and used as required by section thirty-nine hundred and two, in each ward where any such elector may be entitled to vote.

Proviso.

SEC. 2. That said original sections 3886 and 3898 be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 24, 1884.

[Substitute for House Bill No. 1.]

AN ACT

Relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government and release of such convicts by the board of managers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the government and control of the Ohio penitentiary and of the prisoners sentenced thereto, shall be

vested in a board of managers, to consist of five members, at least two of whom shall be practical and skilled mechanics, and not more than three members of said board shall belong to the same political party; to be appointed by the governor by and with the advice and consent of the senate, one to serve one year, one two years, one three years, one four years, and one five years, as may be designated by the governor at the time of their appointment, and at the expiration of the term of office of each member of the board, his successor shall be appointed in the manner and by the authority as hereinbefore provided, but for the term of five years. Whenever a vacancy occurs in the board of managers otherwise than by the expiration of the term of a manager, such vacancy shall be filled by appointment by the governor, by and with the advice and consent of the senate, if the senate be in session, and if the senate be not in session, then the appointment by the governor shall be subject to the confirmation of the senate when it next convenes, for such term to be designated by the governor at the time of appointment, as shall preserve and insure the rotation in office of the managers the same as if one manager should be appointed every year, at the expiration of a manager's term, for the term of five years; provided, that the governor may, at his discretion, remove any member of the board of managers.

Board of managers, Ohio penitentiary, appointment, and term of.

Vacancy in board, how filled.

SEC. 2. Immediately upon their appointment and confirmation, as herein provided, the board of managers shall convene in the city of Columbus. The president of the board shall be the member having the shortest term to serve; three members of the board of managers shall constitute a quorum for the transaction of ordinary business, but for the appointment and removal of the warden and any business relating thereto, a quorum shall consist of the five members of the board. The managers shall give so much of their time and attention to the affairs of the penitentiary as shall insure wise, efficient, and faithful management thereof, and the managers shall receive no compensation, but shall be entitled to and shall receive, to be paid by the treasurer of state upon warrants issued by the auditor of the state for all necessary expenses incurred in the performance of their duty. The managers shall examine the books and accounts of the penitentiary as kept by the officers thereof, once in each month, and shall audit all claims against the penitentiary, and shall file with the auditor of state a monthly statement of all the financial transactions of the penitentiary, showing in detail all moneys received and paid out, from whom received and to whom paid, which statements shall be open to public inspection, and a summary thereof shall be published in the annual reports. And, generally, the board of managers shall have charge of all the concerns of the penitentiary, and shall make an annual report to the governor on or before the fifteenth day of November each year, and in their annual report, the board shall give a classification of all the prisoners, showing their ages, term of sentence, offense committed, cause of crime, number of times

Organization and duties of board.

convicted, habits, education and industrial relations (which shall be entered in the register as hereafter provided), and such other information and recommendations as they deem best for the information of the legislature. The board shall prepare rules for its own government, and for the government of the penitentiary in accordance with the provisions of this act and subject to the approval of the governor.

What officers may reside at the penitentiary.

SEC. 3. No member of the board, and no officer of the penitentiary, except the warden and his family, and matrons shall become residents of the same, or live therein, but the sessions of the board shall be held in the institution in suitable rooms furnished for the purpose.

Contract system abolished.

SEC. 4. The contract system of employing convicts shall not exist in any form in the Ohio penitentiary, but the prisoners shall be employed by the state, and in such way as to in the least possible manner interfere with or affect free labor, and the managers shall use every effort to so dispose of all merchandise as to avoid injurious competition with any business of citizens of the state. All prisoners under the age of twenty-two years shall be employed at handwork exclusively, for the purpose of acquiring a trade. The managers are required to employ all the prisoners that are necessary in making all articles for the various state institutions, as far as practicable, and the institutions shall pay to the penitentiary the market price for all of such articles furnished.

How prisoners to be employed.

Court may give a general sentence to the penitentiary.

SEC. 5. Every sentence to the institution of a person hereafter convicted of a felony, except for murder in the second degree, who has not previously been convicted of a felony and served a term in a penal institution, shall be, if the court having said case thinks it right and proper to do so, a general sentence of imprisonment in the penitentiary. The term of such imprisonment of any person so convicted and sentenced, may be terminated by the board of managers as authorized by this act, but such imprisonment shall not exceed the maximum term provided by law for the crime for which the prisoner was convicted and sentenced; and no prisoner shall be released until after he shall have served at least the minimum term provided by law for the crime for which the prisoner was convicted.

How such sentence terminated.

Duties of clerk of courts when term of convict not fixed.

SEC. 6. Every clerk of any court by which a criminal shall be sentenced to said institution, whenever the term of such sentence may not be fixed by the court, shall furnish the warden or other officer having such criminal in charge, a record containing a copy of the indictment and of any special plea; the name and residence of the judge presiding at the trial; also of the jurors and of the witnesses sworn on the trial; with a statement of any fact or facts which the presiding judge may deem important or necessary for the full comprehension of the case; and of his reasons for the sentence inflicted.

Compensation of clerk.

The clerk of the court shall be entitled to such compensation in every case in which he shall perform the duties required by this act, as shall be certified to be just, by the

presiding judge at the trial, and shall be paid by the county in which the trial is had, as a part of the court expenses. The clerk shall, also, upon any such conviction and sentence, forthwith transmit to the warden of the penitentiary notice thereof.

Rules and regulations to be prescribed by managers.

SEC. 7. The board of managers shall, subject to the approval of the governor, make such rules and regulations for the government of the prisoners as shall best promote their reformation; they shall make provision for the separation or classification of prisoners; their division into different grades; with promotion and degradation according to the merits of the prisoners; their employment and instructions in industry; their education; their conditional and absolute release; their arrest and return to custody within the institution; and, generally, as may from time to time appear to be necessary or promotive of the purposes of this act. But in no case shall a prisoner be released either conditionally or absolutely unless there is, in the judgment of the managers, reasonable ground to believe he will, if released, live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society. And no petition or other form of application for the release of any prisoner shall be entertained by the managers.

Rules and regulations for parole of prisoners.

SEC. 8. The said board of managers shall have power to establish rules and regulations under which prisoners sentenced to imprisonment under section 5 of this act, may be allowed to go upon parole outside of the buildings and enclosures, but to remain, while on parole, in the legal custody and under the control of the board, and subject at any time to be taken back within the enclosure of said institution; and full power to enforce such rules and regulations, and to retake and reimprison any convict so upon parole, is hereby conferred upon said board, whose written order, certified by its secretary, shall be a sufficient warrant for all officers named therein, to authorize such officer to return to actual custody any conditionally released or paroled prisoner; and it is hereby made the duty of all officers to execute said order the same as ordinary criminal process

Earnings of prisoners; when certain per cent. to be credited to him.

SEC. 9. The warden is hereby authorized to have placed to the credit of each prisoner (except those serving a life sentence) such amount of their earnings as the board of managers may deem equitable and just, taking into account the character of the prisoner, the nature of the crime for which he is imprisoned, and his general deportment, provided that such credit shall in no case exceed twenty per cent. of his earnings. And the funds thus accruing to the credit of any prisoner shall be paid to him or his family, at such time and in such manner as the board of managers may deem best, provided that at least twenty-five per cent. of such earnings shall be kept for and paid to such prisoner at the time of his restoration to citizenship. And, provided further, that the warden may, with the approval of the board of managers by way of punishment for violation of rules,

How such funds to be distributed.

Forfeiture of earnings.

want of propriety, or any other misconduct, may cancel such portion of such credit as he may deem best.

Duties of managers as to control of prisoners.

SEC. 10. It shall be the duty of said board of managers to maintain such control over all prisoners committed to their custody, as shall prevent them from committing crime, best secure their self-support, and accomplish their reformation. When any prisoner shall be received into the institution upon direct sentence thereto, they shall cause to be entered in a register the date of such admission, the name, age, nativity, nationality, with such other facts as can be ascertained of parentage, and of early social influences as seem to indicate the constitutional and acquired defects and tendencies of the prisoner, and based upon these an estimate of the then present condition of the prisoner, and the best probable plan of treatment. Upon such register shall be entered, from time to time, minutes of observed improvement or deterioration of character, and notes as to methods and treatment employed; also, all orders or alterations affecting the standing or situation of such prisoner, and any subsequent facts of personal history which may be brought, officially, to the knowledge of the managers, bearing upon the question of the final release of the prisoner, or his being suffered to go out on parole.

Register of prisoners; what to contain.

Violators of parole to be treated as escaped prisoners.

And it is hereby provided that any prisoner violating the conditions of his parole or conditional release (by whatever name), as affixed by the managers, when by a formal order, entered in the manager's proceedings, he is declared a delinquent, shall thereafter be treated as an escaped prisoner owing service to the state, and shall be liable, when arrested, to serve out the unexpired period of the maximum possible imprisonment, and the time from the date of his declared delinquency to the date of his arrest shall not be counted as any part or portion of time served. And any prisoner at large upon parole or conditional release committing a fresh crime, and upon conviction thereof, being sentenced anew to the penitentiary, shall be subject to serve the second sentence, after the first sentence is served or annulled, to commence from the date of termination of his liabilities upon the first or former sentence.

Warden; his appointment and qualifications.

SEC. 11. The board of managers shall appoint as warden a person who, from practical experience, possesses the ability and qualifications necessary to successfully carry on the industries of the penitentiary, and who possesses the executive ability essential to the proper management of the officers and other employes under his jurisdiction, and to enforce and maintain proper discipline in every department; said warden shall hold his office [during good behavior] for four years unless sooner removed for cause, and in no case shall be removed for political or partisan reasons.

Warden to appoint officers and employes.

SEC. 12. It shall be the duty of the warden, with the advice and consent of the board of managers, to appoint a secretary, a steward, a physician, a clerk, a superintendent, when necessary, for each department, a captain of the night-watch, and such other officers and employes as may be

necessary to carry on the industries, and the educational, moral and religious features of the institution; such officers and employes shall be selected for their fitness and qualifications for their position for which they may be appointed or employed, and shall hold their offices and places of employment during the pleasure of the warden and the board of managers, and not more than one of the guards and minor officers shall be selected from the same county, until one of said officers and guards shall be appointed from actual residents of each county in the state; but no officer or employe shall be appointed or removed for political or partisan reasons; such officers and employes shall each receive a salary to be fixed by the board of managers, upon the recommendation of the warden, which salaries shall be approximate to, but shall not be in excess of, salaries paid the same class of labor outside the penitentiary.

Salaries of, to be paid board.

SEC. 13. The warden shall receive an annual salary, to be fixed by the board of managers, of not more than three thousand dollars, payable by the treasurer of the state in equal monthly installments; he shall give a bond with good and sufficient sureties, approved by the governor, in the sum of fifty thousand dollars, conditioned upon the honest and faithful discharge of duty, said bond to be drawn by the attorney-general, and deposited with the secretary of state.

Warden; salary and bond of.

SEC. 16(14). Sections 7389, 7390, 7392, 7393, 7399, 7401 of the revised statutes, as amended April 9, 1880, and sections 7391, 7395, 7396, 7405, 7408, 7414, 7419, 7420, 7422, 7423, 7427, and 7432 of the revised statutes be and the same are hereby repealed.

SEC. 17 (15). This act shall take effect and be in force from and after its passage, as to the appointment, qualification of managers and officers and their salaries, and as to all other matters it shall take effect and be in force from and after May 1, 1884.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 24, 1884.

[Senate Bill No. 44.]

AN ACT

To amend sections 19 and 29 of an act entitled "an act to provide a license on trades, business and professions carried on in cities of the first grade of the first class, and providing for the enforcement and collection of fines and penalties for carrying on business without license and for other purposes." Passed April 6, 1883 (O. L. v. 80, p. 129).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section (19) nineteen of said act be so amended as to read as follows:

License of peddlers, etc., in certain cities.

Section 19. Peddlers or hawkers of produce or goods from vehicles drawn by animal power, shall pay a license of twenty-five ($25.00) dollars per annum, and those selling goods from vehicles drawn by hand or carried by two or more persons, shall pay a license fee of five ($5.00) dollars per annum. Peddlers or hawkers of meat, fish, game, poultry, oysters, vegetables, fruit, candies, groceries, produce and dairy products from stands, shall pay a license fee of fifteen ($15.00) dollars per annum. Provided, that any person selling produce of his own raising shall not be liable for license for selling, hawking, or peddling the same in any mode or manner in the markets, public streets or alleys of said city.

SEC. 2. That section twenty-nine of said act be so amended as to read:

License of owners of vehicles.

Section 29. The owners of all vehicles used upon the streets of the city, shall pay annual license fees, as follows:

For each sulky, five dollars ($5.00).

For each cab or hack, five dollars ($5.00).

For each one-horse private carriage, five dollars ($5.00).

For each two-horse private carriage, five dollars ($5.00).

For each hotel coach or carriage, ten dollars ($10.00).

For each one-horse cart, three dollars ($3.00).

For each one-horse dray or truck, five dollars ($5.00).

For each furniture car, ten dollars ($10.00).

For each baggage wagon, ten dollars ($10.00).

For each two-horse omnibus, ten dollars ($10.00).

For each four-horse omnibus, fifteen dollars ($15.00).

For each six-horse omnibus, twenty-five dollars ($25.00).

For each two-horse wagon used for hauling boilers, engines, safes, stones, brick, lumber, logs, or merchandise, fifteen dollars ($15.00).

For each four-horse wagon used as above, twenty-five dollars ($25.00).

For each wagon not before mentioned, drawn by one horse, three dollars ($3.00).

Drawn by two horses, ten dollars ($10.00).

Drawn by three horses, fifteen dollars ($15.00).

Drawn by four horses, twenty dollars ($20.00).

Drawn by six horses, twenty-five dollars ($25.00).

To whom this act does not apply.

Provided, that none of the provisions of this act shall be held to apply to farmers, marketing the products of their farms; nor shall farmers be liable for vehicles or any license whatever for marketing, selling, hawking or peddling the products of their farms, or for hauling any produce into or from said city to the country, in cities of the first grade of the first class; nor shall the provisions of this act be held to apply to gardeners, fruit-growers or florists; nor to any person living without said city and engaged in huckstering and marketing country produce into or from said city; nor to persons engaged in farming, gardening, or huckstering, hauling goods or merchandise to or from said city; nor to

any person or persons living without said city, who may go in or out of said city in any buggy, sulky or carriage.

Dairymen living without said city shall pay license fees upon their vehicles used upon the streets of said city, as follows: Dairymen, license of.

For each one-horse wagon, three dollars ($3.00).

For each two-horse wagon, five dollars ($5.00).

For each three or four-horse wagon, ten dollars ($10.00).

SEC. 3. That said sections 19 and 29 be and the same are hereby repealed.

SEC. 4. This act shall be in force and take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 73.]

AN ACT

To amend section 632 of the revised statutes of Ohio, and to enact a section supplemental thereto.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section six hundred and thirty-two be amended so as to read as follows, and that section 632 *a* be supplementary thereto:

Section 632. If there be a failure in any case to pay incidental expenses, or furnish the necessary clothing, the steward or other financial officer of the institution is hereby authorized to pay such expenses, and furnish the requisite clothing, and pay for the same, out of the appropriations for the current expenses of the institution, keeping and reporting a separate account of the same. The account so drawn up, signed by such officer, countersigned by the superintendent, and sealed with the seal of the institution, shall be forwarded to the prosecuting attorney of the county from which the person came. Said prosecuting attorney shall proceed without delay to collect, in the name of the state of Ohio, the amount so certified in said account, the same as other debts are collected. How payment of incidental expenses of insane patient enforced.

Section 632*a*. The prosecuting attorney shall pay over all moneys so collected to the county treasurer, taking his duplicate receipts therefor, one of which he shall immediately file with the county auditor, and the other of which he shall keep and preserve. The county auditor shall, upon the filing of such receipt, issue his warrant upon the county treasurer for the amount of money so collected, payable to the steward of such institution where such person is, or How moneys collected to be paid.

shall have been confined, and who shall report to the auditor of state on 1st day of April and 1st day of October of each year upon blanks to be furnished by such state auditor.

SEC. 2. That said original section 632 of the revised statutes of Ohio be and the same is hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 174.]

AN ACT

To amend section 4877 of the revised statutes of Ohio, as amended February 21, 1883 (O. L. v. 80, p. 24), and section 4889 of said statutes, as amended March 29, 1883 (O. L. v. 80, p. 89).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand eight hundred and seventy-seven of the revised statutes, "as amended February 21, 1883, and section four thousand eight hundred and eighty-nine of the revised statutes, as amended March 29," 1883, be so amended as to read as follows:

Each township in Clermont county a road district for repair.

Section 4877. Each township in the county of Clermont, for the purpose of keeping in repair so much of such roads as may be therein, is hereby constituted a road district, and placed under the care and supervision of a superintendent, now in office or hereafter elected, as herein provided.

In certain counties each township a road district.

Section 4889. Each township in the counties of Belmont, Butler, Carroll, Champaign, Clarke, Clinton, Columbiana, Cuyahoga, Darke, Delaware, Erie, Fayette, Franklin, Geauga, Greene, Hamilton, Henry, Huron, Licking, Lucas, Madison, Montgomery, Muskingum, Ottawa, Pickaway, Pike, Preble, Ross, Shelby, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington, Warren and Wayne, in which any such free road is located, shall be a road district, for the care and maintenance thereof.

SEC. 2. Said original section 4877, as amended February 21, 1883, and said section 4889, as amended March 29, 1883, are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 230.]

AN ACT

To amend section 4520 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-five hundred and twenty of the revised statutes be so amended as to read as follows:

Township ditches; duties of trustees.

Section 4520. If the trustees find that the bond has been filed and notice given, they shall proceed to hear and determine the petition, and shall view the premises along the proposed route, and if they find such ditch to be necessary, and that it will be conducive to the public health, convenience or general welfare, shall proceed to locate and establish the same in substantial conformity with the route described in the petition, or as near thereto as in their opinion would best answer the purpose, and the trustees may take to their assistance an engineer to locate, level, and measure the course of such ditch, and such other assistance as they need, and may adjourn from day to day to complete their report and finding, and when their finding is in favor of such ditch, and their report filed with the township clerk, they shall fix a day of hearing within ten days thereafter at the clerk's office in said township, and then and there determine the complaints of any persons affected by reason of the location and construction of said ditch.

Proceedings when they find in favor of ditch.

SEC. 2. That said section 4520 of the revised statutes is hereby repealed; and that this act shall take effect upon its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 242.]

AN ACT

To amend section 633 (*a*) of the revised statutes of Ohio, to provide for the appointment of special policemen in state institutions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 633 (*a*) of the revised statutes of Ohio be amended so as to read as follows:

Upon application the governor shall appoint policemen for state institutions.

Section 633 (*a*). Upon the application and recommendation of the board of trustees of any state public institution, the governor shall commission any number of employes of such institution not exceeding three, to be designated by the superintendent, to be special policemen thereof; and such officer or officers shall take an oath of office and shall have

power to protect the property of such institution, to suppress riots, disturbances, and breaches of the peace, and to enforce all laws for the preservation of good order; and may, upon view, or information, without warrant, arrest any person trespassing upon the grounds, or destroying the property of such institution, or violating any of the existing laws of the state, and bring such person so offending before the mayor or any justice of the peace within such township, to be dealt with according to law. This act shall not be construed to authorize an additional employe in any institution or any increase of compensation to any employe so designated.

SEC. 2. That said original section 633 (*a*) be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force on and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 338.]

AN ACT

To amend section 3694 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-six hundred and ninety-four of the revised statutes be amended so as to read as follows:

State board of agriculture; power and duty of.

Section 3694. The board may hold in fee simple such real estate as it may have heretofore purchased, or may hereafter purchase, as sites whereon to hold its annual fairs, and all such lands held by the board for said purpose, shall be exempt from taxation. The board shall have the power to audit and pay its ordinary expenses, including the necessary personal expenses of the members in their attendance on the meetings of the board, out of any funds in its possession or out of the State Agricultural Fund, and shall, in its annual report, make a complete showing of its financial transactions; and the attorney-general shall act as the legal adviser of the board, the same as for other state departments.

SEC. 2. Said original section 3694 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[Senate Bill No. 168.]

AN ACT

To authorize cities of the first grade of the first class to issue bonds for paying arrears of debts in work-houses, and borrow money on such bond.

Certain cities may borrow money to pay work-house debts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the first grade of the first class having a city work-house, be and are hereby authorized and empowered to borrow twelve thousand dollars at a rate of interest not exceeding four and one-half per cent. per annum, under resolution or ordinance of the common council of any such city, and under such restrictions, and through such officers as may be designated by such resolution or ordinance, to pay any existing debts of such work-house that have been contracted during its management, and for the payment whereof it has no resources.

City council authorized to issue bonds to pay such debts.

SEC. 2. The city council of such city are hereby authorized, upon the application of the directors of such work-house, to issue the bonds of such city for twelve thousand ($12,000) dollars in denominations of one thousand ($1,000) dollars each, with proper coupons attached and having a period to run of ten years, to pay off such debts so incurred, and bearing a rate of interest not exceeding four and one-half per cent. per annum, payable at such place as such city council may direct; to be sold for not less than par, and the proceeds thereof to be applied exclusively to the above purpose; all such bills to be audited by the comptroller of such city, and paid solely on his order.

Advertisement and sale of bonds.

SEC. 3. Whenever such bonds shall be for sale they shall first be duly advertised, daily, for six days, in four daily newspapers of such city, if there be so many, and the advertisement shall provide for sealed bids for said bonds, to be received until a day and hour to be named and designated, when the bids shall be opened by said comptroller in the presence of the bidders present, and the bonds shall be sold to the highest bidder; provided, that no bonds shall be sold for less than par, and that the city may reject any or all of the bids.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 58.]

AN ACT

To amend sections 6801 (*a*) and 6801 (*b*) of an act entitled "an act supplementary to sections 2101, [2107] 2801 [6801], of the revised statutes of Ohio," passed April 19, A. D. 1883 (O. L. 1883, p. 220).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections sixty-eight hundred and one (*a*) and sixty-eight hundred and one (*b*) of the aforesaid act be so amended as to read as follows:

Counties having no work-house may contract with work-house authorities.

Section 6801*a*. It shall be competent for the commissioners of any county or the council of any municipality, wherein there is no work-house, to agree with the city council, or other authority having control of the work-house of any city in any other county, or with the board of district work-houses having a work-house, upon terms and conditions upon which persons convicted of misdemeanors, or of the violation of any ordinance of such municipality, by any court or magistrate of such county or municipality having no work-house, may be received into such work-house under sentence of such court or magistrate; and the county commissioners, or the council of any municipality are authorized to pay the expenses incurred under such agreement, out of the general fund of the county or municipality, upon the certificate of the proper officer of such work-house; and the sheriff or other officer transporting any person to such work-house shall have the following fees therefor: six cents per mile for himself, going and returning, and five cents per mile for transporting each convict, and five cents per mile going and coming for the services of each guard, to be allowed as in penitentiary cases, the number of miles to be computed by the usual routes of travel, to be paid in state cases out of the general fund of the county, on the allowance of the county commissioners, and in cases for the violation of the ordinances of any municipality, by such municipality on the order of the council thereof.

Fees for transporting person to work-house.

Courts may sentence to work-house for jail offense.

Section 6801*b*. When any person has been convicted of a misdemeanor, or of the violation of any ordinance of a municipality by any court or magistrate of this state or such municipality, in a county or municipality having no work-house, and the commissioners of such county, or council of such municipality have made provisions as allowed by law for receiving persons so convicted into the work-house of a city in any other county or district in the state, it shall be competent for such court or magistrate, in its discretion, where imprisonment in the county or municipal jail may by law or ordinance be imposed, in punishment of such offense, to sentence such person to such work-house for a period not exceeding the maximum period of confinement in the county or municipal jail allowed by statute or ordinance for such offense; and in all such cases, such court or magistrate may further order that such person stand committed to such work-house until the costs of prosecution are paid, or he be discharged as herein provided; and in all

cases where a fine may be imposed in whole or part in punishment of an offense, or for a violation of an ordinance of any municipality, and such court or magistrate could order that such person stand committed to the jail of the county or municipality until such fine and the costs of prosecution are paid, such court or magistrate may order that such person stand committed to such work-house until such fine and the costs of prosecution are paid, or until he be discharged therefrom by allowing a credit of sixty cents per day on such fine and costs for each day of confinement in such work-house, or be otherwise legally discharged.

SEC. 2. That said original sections 6801*a* and 6801*b* be and the same hereby are repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 26, 1884.

[House Bill No. 448.]

AN ACT

To appropriate money to pay deficiency in ordinary repair account in the Columbus asylum for the insane, and to cover into the treasury four thousand six hundred and eighty dollars and seventy-five cents.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated out of any money in the treasury, and not otherwise appropriated, the sum of four thousand six hundred and eighty and $\frac{75}{100}$ dollars, to pay the deficiency in the ordinary repair account of the Columbus asylum for the insane, and that the sum of four thousand six hundred and eighty and $\frac{75}{100}$ dollars heretofore appropriated in the deficiency bill for current expenses is hereby covered into the state treasury.

SEC. 2. This act shall take effect on its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 26, 1884.

[Senate Bill No. 32.]

AN ACT

To amend section 2269 of the revised statutes of Ohio, as amended April 9, 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two thousand two hundred and sixty-nine of the revised statutes of Ohio, as amended April 9, 1880, be amended so as to read as follows:

Special assessments on real estate; how made.

Section 2269. In making a special assessment according to valuation, the council shall be governed by the assessed value of the lots, if the land is sub-divided and the lots are numbered and recorded; but if the lots are not assessed for taxation, or if there is land not sub-divided into lots, the council shall fix the value of the lots or the value of the front of such land to the usual depth of lots by the average of two blocks, one of which shall be next adjoining on each side and if there are no blocks so adjoining, the council shall fix the value of the lots or lands to be assessed so that it will be a fair average of the assessed value of other lots in the neighborhood; and if, in making a special assessment by the foot front, there is land bounding or abutting upon the improvement not sub-divided into lots, or if there be lots numbered and recorded, bounding or abutting on said improvements and lying lengthwise of said improvements, the council shall fix, in like manner, the front of such land to the usual depth of lots, so that it will be a fair average of the depth of lots in the neighborhood which shall be subject to such assessment; and this section shall be applicable to all special assessments provided for in this chapter, provided that the words "or if there be lots numbered and recorded, bounding or abutting on said improvements, and lying lengthwise of said improvements" shall not apply to cities of the third grade of the first class.

Proviso.

SEC. 2. That said original section 2269, as amended April 9, 1880, is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 34.]

AN ACT

To amend section 2271 of the revised statutes of Ohio, as amended April 16, 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-two hundred and seventy-one

of the revised statutes of Ohio, as amended April 16, 1880, be amended so as to read as follows:

Section 2271. In cities of the first class, or in corporations in counties containing a city of the first grade of the first class, the tax or assessment specially levied or assessed upon any lot or land for any improvement, shall not, except as provided in section twenty-two hundred and seventy-two, exceed twenty-five per centum of the value of such lot or land, as it appears on the county duplicate at the time such assessment is made, and the cost exceeding that per centum shall be paid by the corporation out of its general revenue; and, except as provided in section twenty-two hundred and seventy-two, there shall not be collected of such assessment, in any one year, more than one-tenth of such value of the property on which the assessment is made; and in cities of the third grade, first class, said tax or assessment shall not exceed twenty-five per centum of the value of such lot or land, after the improvement is made, and whenever any street or avenue is opened, extended, straightened, or widened, the assessment for the cost and expense thereof shall be assessed only on the lots and lands abounding and abutting on said street or avenue so improved; provided, that nothing in this section contained shall apply to any improvement ordered, commenced, or completed, prior to the passage of this act.

Limitation of assessments in certain cities and corporations.

In cities of third grade, first class.

How certain assessments made.

SEC. 2. That said original section 2271, as amended April 16, 1880, be and the same is hereby repealed.

SEC. 3, This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[House Bill No. 104.]

AN ACT

To amend sections 2328, 2329, 2330 and 2333 of subdivision III., chapter 4, division 7, title 12 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections twenty-three hundred and twenty-eight, twenty-three hundred and twenty-nine, twenty-three hundred and thirty and twenty-three hundred and thirty-three of subdivision III., chapter 4, division 7, title 12 of the revised statutes of Ohio be amended so as to read as follows:

Section 2328. The council shall provide by ordinance for the construction and repair of all necessary sidewalks within the limits of the corporation, and may require, by the imposition of suitable penalties or otherwise, the owners and occupants of abutting lots and lands to keep the sidewalks in repair, free from snow or any nuisance.

Council to provide for construction and repairs of sidewalks.

Notice to be served upon owners of abutting property.

Section 2329. When the council, board of improvements, or board of public works (city commissioners), as the case may be, declares by resolution that certain specified sidewalks shall be constructed or repaired, the mayor or board of public works (city commissioners), where there is such a board, upon being advised thereof, shall cause written notice to be given to the owner, or agent of the owners of the property abutting upon such sidewalks, who may be residents of the city or village, at the time of the passage of such resolution, and such resolution shall be published for two consecutive weeks in some newspaper published and of general circulation in the corporation; such publication shall be full notice to all owners who cannot be served, and to all non-resident owners.

On failure of owner to construct or repair, same to be done at his expense.

Section 2330. If such sidewalks are not constructed within thirty days, or are not repaired within ten days from the service of the notice or completion of the publication, the council or board may have the same done at the expense of the owner; and such expense shall constitute a lien upon the property bounding or abutting thereon, and shall be collected in the same manner, with a penalty of 20 per cent. and interest, after failure to pay at the time fixed for the payment of the assessment as in other cases of improvement.

Exemption of property in certain cases.

Section 2333. Nothing in this chapter shall be so construed as to tax property for the purpose of constructing any sidewalk, the owners of which have constructed and maintained sidewalks in front of such property, as ordered by the council or board.

SEC. 2. That said original sections 2328, 2329, 2330, and 2333 be and the same are hereby repealed.

SEC. 3. This act shall be in force and take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 171.]

AN ACT

Amendatory of and supplementary to section 6454 of the revised statutes of Ohio, as amended March 9, 1880, March 9, 1882, March 7, 1883, and February 26, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section six thousand four hundred and fifty-four of the revised statutes of Ohio, as amended March 9, 1880, March 9, 1882, March 7, 1883, and February 26, 1884, be amended so as to read as follows:

Section 6454. The probate court shall have jurisdiction concurrent with the court of common pleas in all misdemeanors, and in all proceedings to prevent crime in the following counties: Lake, Lucas, Montgomery, Erie, Richland, Scioto, Holmes, Meigs, Henry, Belmont, Stark, Ottawa, Williams, Allen, Wood, Sandusky, Darke, Wyandot, Coshocton, Defiance, Portage, Clermont, Carroll, Gallia, Hocking, Brown, Lorain, Columbiana, Madison, Clinton, Shelby, Geauga, Mahoning Jefferson, Monroe, Hancock, Adams, Highland, Licking, Knox, Miami, Fayette, Perry, Tuscarawas, Guernsey, Paulding, Greene, Lawrence, Crawford, Ashland, Washington, Athens, Pike, and Summit

In what counties probate court to have criminal jurisdiction.

Section 6454*a*. The probate court of Cuyahoga county, for the purpose of trying, or otherwise disposing of according to law, all criminal causes and proceedings to prevent crime, that shall be therein pending at the time this act shall take effect, shall have and retain the authority and jurisdiction by it possessed before the passage of this act.

Probate court of Cuyahoga county.

SEC. 2. That said original section 6454, as amended March 9, 1880, March 9, 1882, March 7, 1883, and February 26, 1884, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after the fifteenth day after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 155.]

AN ACT

To amend section 354 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three hundred and fifty-four of the revised statutes be amended so as to read as follows:

Section 354. There shall be elected, triennially, at the general election for state officers, a state commissioner of common schools, who shall hold his office for the term of three years from the second Monday of July succeeding his election; and in case of a vacancy occurring by death, resignation or otherwise, the governor shall fill the same by appointment.

State commissioner of common schools, election and term of.

Provided, that the state commissioner of common schools now in office shall continue to hold his office until three years from the second Monday of July succeeding his election.

Proviso.

SEC. 2. That said original section 354 be and the same is

hereby repealed; and that this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 154.]

AN ACT

To amend section 1 of an act entitled an "act to protect all citizens in their civil and legal rights," passed February 7, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of said act to protect all citizens in their civil and legal rights, be amended as follows:

Civil rights; to protect all citizens in.

Section 1. That all persons within the jurisdiction of said state shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, restaurants, eating-houses, barber-shops, public conveyances on land or water, theatres and all other places of public accommodation and amusement, subject only to the conditions and limitations established by law, and applicable alike to all citizens.

SEC. 2. That section 1 of the above entitled act be and the same is hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 111.]

AN ACT

To amend section 629 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section six hundred and twenty-nine of the revised statutes of Ohio be so amended as to read as follows:

Who ineligible as officer or employe of state institutions.

Section 629. No trustee, commissioner, manager or director of any benevolent, reformatory or penal institution of the state is eligible to the office of superintendent or steward of such institution during the term for which he was ap-

pointed, nor within one year after his term expires; nor shall any officer or employe of any such institution be related by blood or marriage to either of said trustees.

SEC. 2. Said original section 629 is hereby repealed, and this act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[House Bill No. 195.]

AN ACT

To empower county commissioners to appropriate private property for the use of the county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That when it shall be deemed necessary by the board of county commissioners, with the approval of the board of control, in any county containing a city of the first class, with a population of two hundred and fifty thousand inhabitants, or more, to build a county morgue, road or avenue, and the owner or owners of property in such county are unable from any cause to agree upon the sale and purchase of said ground, the board of county commissioners shall cause the same proceedings for appropriation to be had which are provided for the appropriation of private property, by municipal corporation, said board of commissioners, through the county solicitor to act for such county therein as the council would for the municipal corporation.

Appropriation of private property to build morgue, road or avenue.

Proceedings for.

SEC. 2. That said board of commissioners shall prosecute the said proceedings of appropriation, to their final conclusion, and at their option, if the amount of value and damages of land or lot, sought to be appropriated, does not exceed six thousand dollars ($6,000), shall direct the auditor to draw his warrant for the payment of the amount awarded, out of any funds heretofore designated to build or keep in repair a morgue, road or avenue.

Duties of commissioners as to.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[House Bill No. 357.]

AN ACT

Supplementary to section 7034 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section be enacted as supplementary to section 7034 of the revised statutes of the state of Ohio, with sectional numbering as follows:

Medical college; human body bearing marks of violence received at.

Section 7034*a*. Whoever shall receive at any medical college, medical society, school of anatomy, or at any place for the purpose of medical or surgical study or dissection, or for any other purpose any human body bearing marks of violence, shall thereupon immediately notify in writing the county coroner of the county in which such body may then be, that such body is in his possession bearing marks of violence. It shall thereupon be the duty of the coroner to hold such inquests as in other cases. Whoever violates the provisions of this act shall be fined in any sum not less than five hundred nor more than one thousand dollars, and imprisoned not less than one year nor more than ten years.

Duty of coroner.

Penalty.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[House Bill No. 389.]

AN ACT

To amend section 2 of an act passed April 9, 1883, entitled an "act to provide for the protection of children" (O. L. v 80, p. 102).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two of the aforesaid act be amended to read as follows:

Child not to be kept in infirmary unless separated from adults.

Section 2. That from and after the passage of this act it shall not be lawful to keep or maintain in any county infirmary in this state, unless separated from the adult paupers therein, any child or children entitled to admission into a children's home, except such as are imbecile, idiotic, or insane. And the board of commissioners of any county in the state, where such a home has not already been provided, may make temporary provision for such children by transferring them to the nearest children's home where they can be received and kept at the expense of the county, or by leasing suitable premises for that purpose, which shall be furnished, provided, and managed in all respects as now pro-

Commissioners to provide for such in children's homes.

vided by law for the support and management of children's homes in the state of Ohio.

SEC. 2. That said section 2 of the act of April 9, 1883, be and the same is hereby repealed; and this act take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 191.]

AN ACT

To amend section 3641*a* of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 3641*a* of the revised statutes be amended so as to read as follows:

Section 3641*a*. All companies heretofore organized or that may hereafter be organized for the purpose of insuring against loss or damage by fire, may insure against loss or damage by lightning and tornadoes.

Fire insurance companies may insure against lightning and tornados.

SEC. 2. Section 3641*a* of the revised statutes is hereby repealed.

SEC. 3. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[House Bill No. 234.]

AN ACT

To authorize certain boards of education to sell real estate at private sale to municipal corporations.

[AKRON.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any board of education of a city district in any city of the third grade of the second class, which had a population at the last federal census of sixteen thousand five hundred and twelve (16,512), holding or being possessed of real estate which is no longer required for school purposes, may sell such real estate at private sale to such municipal corporation for municipal purposes, at such price and upon

Certain boards of education may sell real estate.

such terms of credit as may be agreed upon between such board of education and the council of such city; and in such cases section twenty-seven hundred and two of the revised statutes shall have no application.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 31, 1884.

[House Bill No. 332.]

AN ACT

To amend section 6968 of the revised statutes of Ohio, as amended April 20, 1881, as amended April 11, 1883 (Ohio L. v. 80. p. 109), and to add a supplementary section thereto, to be designated section 6968*a*.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section sixty-nine hundred and sixty-eight of the revised statutes of Ohio, as amended April 20, 1881, as amended April 11, 1883, be so amended as to read as follows:

Section 6968. Whoever, in any body of water, whether natural or artificial, lying in the state of Ohio, or part therein, except in private fishing waters, Lake Erie, Mercer county reservoir, and the Licking county reservoir, catch in any way other than by hook and line, any fish, except minnows, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided. Whoever draws, sets, places, or locates any pound net, seine, gill net, trap, or any fish net or other device for catching fish, except for minnows, or catches, except with hook and line, any fish except minnows, aforesaid, in any of the inland waters of the state of Ohio, or part therein or the waters of Lake Erie, west of Avon Point, from the first day of June to the first day of October of each year, or in the waters of Lake Erie, east of Avon Point, from the tenth day of June to the tenth day of October, shall be guilty of a misdemeanor, and shall, on conviction, be punished as hereinafter provided. Whoever shall, at any time of the year, upon the shoals and reefs in Lake Erie, in the vicinity of the islands thereof, and in the bays tributary thereto, by means of any device whatever, except with hook and line, and whoever in the Mercer county reservoir with the device known as trammel or pocket net, fish for or catch any fish, shall be guilty of a misdemeanor, and, on conviction, punished as provided hereafter. Whoever buys, sells, or offers for sale, any fish caught out of on or in any manner prohibited by this act, shall be uilty of a misdemeanor, and, on conviction, punished as

Misdemeanor to catch fish except by hook and line in certain waters.

To buy and sell same.

hereinafter provided; provided, that nothing in this section or the several statements of offenses herein contained shall prevent the fish commissioners of this state, or their agents, from taking fish at any time or place for stocking ponds, lakes and rivers, and for the maintenance and cultivating fish artificially, and for no other purpose; and provided, further, it is hereby made the duty of said fish commissioners, on complaint of any person or otherwise, to prosecute all violations of this section, and any person may make complaint of any violation of this section before any mayor or justice of the peace having jurisdiction of the same. And whoever shall violate any of the several provisions herein contained, shall, for each and every such offense, be fined not more than one hundred dollars and not less than ten dollars, or imprisoned not more than sixty days, or both, at the discretion of the court; that nothing in this section shall prevent the catching of suckers and mullets in any manner between the twentieth day of March and the twentieth day of April in each year.

Penalty.

Section 6968*a*. Whoever, in the waters of any brook, creek, river, pond, reservoir, mill-race, tail-race, or in any body of water, natural or artificial, lying in the state of Ohio, during the spawning season of brook trout, or salmon, or land-locked salmon, or California salmon, which season is hereby defined to extend from the fifteenth day of September in each year, to the fourteenth day of March, inclusive, in the year following, shall catch in any manner with intent to kill, or offer for sale, any brook trout, salmon, land-locked salmon, or California salmon, shall be punished by the same penalties fixed in section sixty-nine hundred and sixty-eight for the misdemeanors therein defined.

Penalty for catching certain fish in spawning season.

SEC. 2. That section 6968, as amended April 20, 1881, as amended April 11, 1883, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 1, 1884.

[House Bill No. 382.]

AN ACT

To amend section 4065 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4065 of the revised statutes be so amended as to read as follows:

Section 4065. There shall be a state board of examiners, which shall consist of five competent persons, residents of

State board of examiners; appointment, term and vacancy.

the state, to be appointed by the state commissioner of common schools; the term of office of such examiners shall be three years; and when a vacancy occurs in the board, whether from expiration of the term of office, refusal to serve, or other cause, the commissioner shall fill the same by appointment for the full or unexpired term, as the case demands; but this section shall not be construed to affect the term of office of members of the board in office at the time this act takes effect.

SEC. 2. That said original section 4065 be and is hereby repealed; and this act shall take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 2, 1884.

[House Bill No. 14.]

AN ACT

To provide for a bureau of information for the soldiers' and sailors' orphans' home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be the duty of the superintendent of the soldiers' and sailors' orphans' home, located at Xenia, Ohio, four weeks before each child that has been admitted or may hereafter be admitted there, arrive at the age of sixteen years, to ascertain what, if any, trade said pupil has learned while at the home, and what trade or business each of said pupils so arriving at the age of sixteen desires in the future to engage in; thereupon said superintendent shall forthwith cause a notice to be published in two newspapers printed, and of general circulation in the state, one of which shall be published in the county which said pupil was sent from, that said pupil desires a situation in the business, as the case may be, and desires a home in a respectable family, and compensation to be paid such pupil as the employer may agree upon with said pupil and superintendent; the said superintendent shall answer all communications and inquiries relating to the securing a respectable home and employment for said pupil, and keep a record thereof, which shall be kept open to public inspection. Said superintendent shall keep an account of expenses made necessary by the provisions of this act.

Soldiers' and sailors' orphans' home; duties of superintendent as to certain inmates of.

SEC. 2. It shall be the duty of the superintendent to make out a full report every thirty days to the board of directors of said soldiers' and sailors' orphans' home, and it shall be their duty to examine said report, together with all vouchers, and if the same is found to be correct, the said board shall order the same to be paid out of the appropriation made by the state for said institution.

To make monthly report to board of directors of.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 2, 1884.

[House Bill No. 97.]

AN ACT

Supplementary to section 4941 and amendatory of section 4942 of the revised statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections be enacted as supplementary to section forty-nine hundred and forty-one of the revised statutes (1880), with sectional numbering as follows:

County commissioners may purchase toll-bridge.

Section 4941*a*. The commissioners of any county in which there is a toll bridge, or any bridge owned by any person or corporation authorized by law to charge and collect toll for crossing the same, may purchase such bridge, together with the approaches, at such price as may be agreed upon by them and the owners of such bridge; and in case they are unable to agree with the owners thereof, upon such purchase and sale, the commissioners may appropriate the same; and for this purpose they shall cause an accurate survey and description of such bridge and approaches, and the land occupied by the same, to be made, and shall file the same with the probate judge or court of common pleas of the county, and thereupon the same proceedings shall be had which are now provided by law for the appropriation of private property for municipal corporations; and upon payment of the agreed price, or, payment into court of the compensation assessed, the right to charge or collect toll shall thereupon cease.

Proceedings when price not agreed upon.

Proviso.

Provided, however, that in case any such bridge sought to be purchased or appropriated is a part of a plank road, and is located within one-fourth of a mile from the end thereof, as then existing, said commissioners shall also be required to purchase or appropriate, in connection with said bridge, all of said plankroad lying between said bridge and the end of said plank road, not exceeding one-fourth of a mile, together with any toll-house used in connection with said bridge, but said sale or appropriation shall in no way affect the right of said plank road company to collect toll on the unsold or unappropriated part of its said plank road.

Right to bridge forfeited.

Section 4941*b*. When the commissioners make an appropriation of any bridge as specified in the last preceding section, and fail to pay for the same within three months

after the assessment of compensation shall have been made, as hereinbefore provided, the right of the commissioners to make such appropriation on the terms of the assessment so made, shall cease and determine; and the bridge so appropriated shall be relieved from all incumbrance on account of the proceedings in such case, and the judgment or order of the court, directing such award or assessment to be paid, shall cease to be of any effect, except as to the cost adjudged against the commissioners.

SEC. 2. That section forty-nine hundred and forty-two of the revised statutes be amended to read as follows:

Bonds may issue therefor.

Section 4942. For the purpose of paying such agreed price, or any part thereof, or the award or assessment and costs of appropriation, the commissioners may issue the bonds of the county in sums of not more than five hundred dollars each, payable in installments, during a period not exceeding ten years from the date thereof, with interest not exceeding the legal rate, payable semi-annually, which bonds shall not be sold at less than their par value.

SEC. 3. That said original section 4942 be and the same is hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 2, 1884.

[House Bill No. 305.]

AN ACT

To amend section 3078 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand and seventy-eight of the revised statutes of Ohio be, and the same is hereby amended to read as follows:

Encampment of state militia.

Section 3078. There shall be an encampment of each unattached company, and of each troop, battery, battalion, and regiment, to last not less than four nor more than six days, at least once in each year, between the first day of May, and the first day of November; encampment shall be held at such times, and places as the commanding officer may direct with the approval of the governor; notice of which shall be sent by said commanding officers to the adjutant-general at least thirty days prior to the date fixed for said encampment, and at least two weeks' notice of a battalion or regimental encampment shall be given by the commanding officer to each company commandant; provided, that when in the

opinion of the governor the efficiency of the service will be promoted by bringing different regiments, unattached companies, troops, and batteries together in one encampment, he may by general order brigade the regiments, companies, troops, and batteries of the national guard, direct the time, and place for the encampment of each brigade; designate the senior officer as the commander thereof and such encampment, and the troops composing the same shall in all respects be governed by the United States army regulations applicable to brigades; and such encampment shall be for a period of not less than five, nor more than eight days, and shall take the place of, and supersede the encampments otherwise prescribed in this section.

Governor may order general encampment.

SEC. 2. That original section 3078 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 2, 1884.

[House Bill No. 309.]

AN ACT

Supplementary to an act relating to soldiers' memorial associations.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first class and third grade it shall be lawful for any association or corporation, organized or incorporated under any law of this state, relative to soldiers' memorial associations or monumental building associations, or cemetery associations or corporations, to acquire, use and occupy for the purposes intended or declared by such association or corporation, any real estate which has been acquired by, donated to, or which may hereafter be acquired, purchased, or donated to such corporation or association which, in the opinion of the trustees, directors, or managers of such association or corporation may be necessary and proper to carry out the object intended for such association or corporation.

Certain soldiers' memorial association may acquire real estate.

SEC. 2. That the real estate held or occupied by any memorial or monumental association or corporation described in the first section of this act, shall be free from all state, county, township and municipal corporation taxes.

Such real estate not subject to taxation.

SEC. 3. That where the city council of any city of the first class and third grade shall deem it necessary to provide for the deposit and safe-keeping of any arms, ammunition or munitions of war, or to provide armory and drill rooms for

City council may rent hall for armory.

such company or companies of the Ohio national guard as now exist or may be hereafter organized, under the laws of Ohio, it shall be lawful for such municipal authorities to contract with and assume to pay to such association or corporation such reasonable rent for the use of such building as may be agreed upon between such authorities and the association or corporation. And it shall be lawful for said municipal authorities to advance to said associations or corporations the rent so to be agreed upon, and to repay said rent by its bonds, notes or otherwise, as may be agreed upon between the parties.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 2, 1884.

[House Bill No. 409]

AN ACT

To authorize the board of public works of the state of Ohio to vacate and abandon a feeder to the Ohio canal in Jackson township, Coshocton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of public works of said state, if in their opinion and judgment it will be conducive to the public health and welfare of the people of Jackson township, Coshocton county, Ohio, are hereby authorized and empowered to vacate and abandon the feeder to the Ohio canal, running from the Walhonding river across lands now owned by Elias Haight and William Maxwell, in the second quarter of the fifth township and sixth range, in said Coshocton county, and emptying into the basin of the Ohio canal, south-west of the aqueduct across the Walhonding river; and said board of public works are hereby authorized and empowered to locate and construct across said feeder, as in their judgment is necessary, an embankment of sufficient size and strength to prevent the water from flowing from said basin into said feeder, and to do whatever is necessary to effectually vacate and abandon said feeder, and to protect the interest and property of the state appertaining to said Ohio canal. And if the board of public works shall determine to abandon said feeder, the land occupied by the same shall be disposed of by the board for the best interests of the state.

Board of public works may abandon certain feeder of Ohio canal.

May construct embankment.

If abandoned, land to be sold.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 188.]

AN ACT

To amend section 6901 of the revised statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section sixty-nine hundred and one of the revised statutes be so amended as to read as follows:

Compounding felonies, etc.; penalty for.

Section 6901. Whoever, either directly or indirectly, demands or receives any money, or other thing of value, for compounding or abandoning, or agreeing to abandon, any prosecution threatened or commenced for any crime or misdemeanor, shall be fined not less than twenty-five nor more than three hundred dollars, or imprisoned in the county jail or work-house, if there is a work-house in the county, not less than ten nor more than ninety days, or both; but this section shall not apply to the receiving back, by the owner thereof, or his agent, of any property stolen, embezzled or fraudulently obtained, together with the actual expenses of recovering the same.

SEC. 2. That section 6901 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 501.]

AN ACT

To amend an act entitled "an act to provide for the presentation to congress of a statue of James A. Garfield, and making an appropriation therefor," passed and took effect April 11, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of an act to provide for the presentation to congress of a statue of James A. Garfield, and making appropriations therefor, be amended to read as follows:

Commission to procure statue of James A. Garfield.

Section 1. That the governor ex-officio and eight citizens of the state, appointed by the governor, shall constitute a commission to procure, from a competent artist, a statue of James A. Garfield, in marble, to be erected in the capitol at Washington, in pursuance of the laws of the United States; said presentation shall be made as a part of the contribution of the state of Ohio to the national gallery, and such commission shall succeed to the powers, duties, rights, privileges, objects and purposes of, and carry into effect all contracts

made by the commission created by the section to which this act is amendatory.

SEC. 2. Said original section 1 of the act to provide for the presentation to congress of a statue of James A. Garfield, and making an appropriation therefor, is hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 245.]

AN ACT

For the medical treatment and care of insane persons, and such as may be suffering from acute insanity.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That no insane person shall hereafter be kept or confined for any length of time exceeding forty-eight hours in any jail or prison in this state, nor shall they be kept or confined in any asylum, infirmary, or other place of detention, or public charity, unless regularly committed thereto as provided by law; and it is hereby made the duty of the sheriff, superintendent, or other principal officer of the institutions aforesaid, to report all such cases forthwith to the probate judge of their respective counties, as soon as the facts are made known to them.

Confinement of insane person in prison, asylum, etc.

SEC. 2. All persons legally committed as insane shall be provided with suitable rooms or apartments especially set off for the insane, and no sane person shall be permitted to occupy such rooms or apartments, except the officers or employes of the institution, of the same sex, in the discharge of their duties.

Separate apartments for insane.

SEC. 3. In all cases of insanity, where the probate judge in his examination has reason to believe it a first attack of the disease, and in case he can not for any cause send the patient to a regular asylum for the insane, he shall order him sent to the city or county infirmary, or to such other place as may be provided with suitable accommodations, adequate to carry into effect the requirements of this act, and shall immediately order such skilled medical treatment and proper attendance as he may deem vital for the patient, and his restoration to reason.

Duties of probate judges.

SEC. 4. The board of directors of the county and city infirmaries of the state shall provide separate apartments and suitable attendance for all patients suffering from a first attack of insanity, and they shall furnish in each case such care

Directors of infirmaries to provide separate apartments.

and treatment as may be prescribed by the physician in charge, who may be either the regular physician of the infirmary, or such other expert practitioner as the probate judge may select; provided, the family of such insane person may choose their own physician. Medical treatment of.

SEC. 5. The physician in charge shall report the condition of each patient under his treatment to the probate judge monthly, or oftener if required, giving statement of progress toward recovery, and such other information as may from time to time be asked or demanded of him, but nothing in this act shall forbid the transfer of any patient to any regular insane asylum of the state at any time whenever such transfer can be effected. Medical report to be made.

SEC. 6. The probate judge may allow for services of the physician, a sum not exceeding two dollars for each visit, which amount and all other expenses for the care of patients as herein provided, shall, when approved by the probate judge, be paid out of the poor or infirmary fund of the city or county the same as in other cases. Medical services; how paid.

SEC. 7. This act shall take effect and be in force on and after the first day of September, 1884.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 524.]

AN ACT

To authorize cities of the second grade of the first class to compromise any controversy between said cities and claimants to estates devised or bequeathed to such cities in trust for charitable or other uses.

[CLEVELAND.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That cities of the second grade of the first class be, and they are hereby authorized, subject to the approval and confirmation of the court of common pleas of the county in which any of said cities are located, to adjust or compromise any controversy which has arisen or which may arise between any of said cities and any claimant or claimants to any property which has been heretofore or which may hereafter be devised or bequeathed to any of said cities in trust for charitable or other uses or purposes, and in ike manner to adjust or compromise any claim, dispute or controversy concerning the validity of any last will and testament by which any estate or property is devised or bequeathed to any of said cities in trust as aforesaid, as well as any claim, dispute or controversy concerning the validity of any such devise or bequest, and that said courts of common Certain cities authorized to adjust bequests.

Court empowered to carry out compromise.

pleas are hereby empowered to make and render such orders and judgments as may be necessary or expedient in order to carry out any such compromise; and any of said cities shall have power to make and execute any deeds of release or conveyance which may be necessary to carry out such compromise. The executors of last wills and testaments, by which any such devises or bequests are made to any of said cities, or the administrators with the will annexed, are hereby authorized to settle the estates by them administered according to such orders or judgments as may be rendered as aforesaid. The city council of each of said cities is hereby empowered to act in the premises in behalf of the city, either by resolution or ordinance.

Executors authorized to settle.

SEC. 2. This act shall take effect and be of force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 370.]

AN ACT

To amend an act entitled "an act to amend section 3177, passed February 16, 1880."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-one hundred and seventy-seven, as amended and passed February 16, 1880, be and is hereby amended so as to read as follows:

What days regarded as holidays.

Section 3177. The following days, namely, the first day of January, the fourth day of July, the twenty-fifth day of December, the twenty-second day of February, the thirtieth day of May, and any day appointed and recommended by the governor of the state or the president of the United States, as a day of fast or thanksgiving, shall for all purposes whatsoever of presentment for payment or acceptance and the protesting or the giving of notice of non-acceptance or of non-payment of all such instruments, be considered as the first day of the week; but if the first day of January, the fourth day of July, the twenty-fifth day of December, or the twenty-second day of February, or the thirtieth day of May, be the first day of the week, the succeeding Monday shall for the same purpose be considered as the first day of the week.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 144.]

AN ACT

To amend section 4207 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-two hundred and seven of the revised statutes of Ohio be amended so as to read as follows:

Section 4207. A person finding an animal mentioned in section forty-two hundred and two, at large, contrary to the provisions of this chapter may, and any constable of any township, or any supervisor of roads in any township, or marshal or constable of any city or village, on view or information, shall take up and confine the same forthwith, giving notice thereof to the owner, if known, and if not known, by posting notices describing such animals therein, in at least three public places within the township; and if the owner does not appear and claim his property, and pay all charges for taking up, advertising, and keeping the same, within ten days from the date of the notice, the animals may be proceeded with under the laws regulating estrays; the mere act of any such animal running at large in or upon any of the places mentioned in section forty-two hundred and two, shall be *prima facie* evidence that such animal is so running at large contrary to the provisions thereof, but if it be proven that such animal escaped from the owner or keeper thereof, without his knowledge or fault, then it shall be given up to the owner or keeper, upon payment of a reasonable compensation for taking up and keeping the same. And if any constable, supervisor or marshal, above named, shall willfully neglect to perform any of the duties above required, he shall be fined not more than twenty-five dollars ($25.00), or imprisoned not more than ten days, or both.

Animal running at large may be treated as estray.

Penalty.

SEC. 2. Said original section 4207 is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 4, 1884.

[House Bill No. 214.]

AN ACT

To supplement section 3987 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section three thousand and nine hundred and eighty-seven be and the same is hereby supplemented with sectional numberings, as hereafter provided:

Boards of education to cause trees to be planted in school grounds.

Section 3987*a*. That the boards of education of cities and villages, and directors of sub-school districts, shall in the months of March, April, May or November in the year 1884, and in said months of each year thereafter, in the school yards and grounds under their respective control, plant or cause to be planted, where the same is not already provided, such number of shade and ornamental trees, as will in their judgment furnish shade protection for the scholars attending said schools, and beautify said grounds.

Expenses of; how paid.

SEC. 2. That the costs and expenses incurred by said boards of education or directors of sub-districts, as the case may be, shall be paid out of the contingent school fund of said city, village, or sub-district, on the certificate of said boards.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 4, 1884.

[House Bill No. 235.]

AN ACT

To supplement section 2573 of the revised statutes of Ohio, for the better protection of the health, comfort and safety of persons employed in shops and factories.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-five hundred and seventy-three of the revised statutes of Ohio, as amended April 19, 1883, b- and the same is hereby supplemented with sectional numberings as hereafter provided:

Inspector of sanitary condition, etc., of shops and factories; appointment and duties.

Section 2573*a*. The governor of the state shall appoint a suitable person, to be known as the inspector of the sanitary condition, comfort and safety of shops and factories, who shall be a competent and practical mechanic in practice, whose duty it shall be to visit all factories and shops where ten or more persons are employed, and to carefully inspect the sanitary condition of the same, to examine the system of sewerage in connection with said shops and factories, the situation and condition of water closets, or urinals in and about such shops and factories, and also the system of heating, lighting and ventilating all rooms in such factories and shops where persons are employed at daily labor, and also as to the means of exit from such places in case of fire or other disaster, and also all belting, shafting, gearing, elevators, drums, and machinery of every kind and description in and about such factories and shops, and see that the same are not

located so as to be dangerous to employes when engaged in their ordinary duties, and that the same, so far as practicable, are securely guarded, and that every vat, pan or structure filled with molten metal or hot liquid, shall be surrounded with proper safeguards for preventing accident or injury to those employed at or near them.

Inspector to have free access to shops and factories.

Section 2573*b*. That said inspector shall have entry into all such shops and factories at any reasonable time, and it shall be unlawful for the proprietors, agents or servants in such factories or shops to prevent, at reasonable hours, his entry into such shops and factories for the purpose of such inspection.

Inspection and report.

Section 2573*c*. That said inspector, if he finds upon such inspection, that the heating, lighting, ventilation or sanitary arrangement of any such shop or factory is such as to be injurious to the health of persons employed therein, or that the means of egress in case of fire or other disaster is not sufficient, or that the belting, shafting, gearing, elevators, drums and machinery in such shops and factories are located so as to be dangerous to employes, and not sufficiently guarded, or that the vats, pans or structures filled with molten metal or hot liquid are not surrounded with proper safeguards for preventing accident or injury to those employed at or near them, shall notify the proprietors or agents of such factory or shops to make the alterations or additions necessary within thirty days, and if such alterations or additions are not made within thirty days from the date of such notice, or within such time as said alterations can be made with proper diligence upon the part of said proprietors, said proprietors or agents shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than two hundred and not less than ten dollars, which fine shall be paid into the treasury of the county in which such conviction is had.

Salary, and appropriation for.

SEC. 2. That the salary of such inspector shall be fifteen hundred dollars per year and necessary traveling expenses, and shall be paid out of the treasury of the state, on the warrant of the auditor, out of any money in the treasury, not otherwise appropriated, the sum of fifteen hundred dollars ($1,500), and a sufficient amount to pay necessary traveling expenses, not exceeding six hundred dollars.

SEC. 3. That this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 4, 1884.

[Substitute for House Bill No 131.]

AN ACT

Making appropriations for the last three quarters of the fiscal year ending November 15, 1884, and for the first quarter of the fiscal year ending February 15, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and are hereby appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the following sums, to wit:

Adjutant-General's Department:

Salary of adjutant-general, fifteen hundred dollars ($1,500).

Salary of assistant adjutant-general, eleven hundred and twenty-five dollars ($1,125).

Salary of chief clerk, one thousand and fifty dollars ($1,050).

Salary of superintendent state arsenal, nine hundred dollars ($900).

Salary of transcribing clerks, thirty-six hundred dollars ($3,600).

Contingent expenses, and inspection O. N. G., five hundred dollars ($500).

Care military stores, nine hundred dollars ($900).

Pay O. N. G. in camp, twenty-two thousand dollars ($22,000).

Expenses of court martial, two hundred dollars ($200).

Transportation and subsistence O. N. G., eleven thousand dollars ($11,000).

Incidental expenses military companies, nine thousand dollars ($9,000).

Uniforms O. N. G., five thousand dollars ($5,000).

To pay company I, O. N. G., for services at the execution of Radford at Fremont, Ohio, one hundred and ninety dollars and eighty-three cents ($190,83).

To pay company F, eighth regiment O. N. G., for services at the execution of McMillan and Cline, one hundred and sixty-eight dollars ($168).

To pay company C, eighth regiment O. N. G., and Toledo cadets, for services at the execution of Charles Basch, at Bowling Green, Ohio, five hundred and seventy-eight dollars and ninety cents ($578.90).

Expenses of court martial, four hundred dollars ($400).

State House and Grounds:

Superintendent of laborers, six hundred and seventy-five dollars ($675).

Engineer, seven hundred dollars ($700) in addition to three hundred dollars ($300) in partial appropriation, salary for one year.

Two firemen for six months, four hundred and fifty dollars ($450).

Four regular laborers, twenty-three hundred and seventy-eight dollars ($2,378).

Extra labor, twenty-one hundred and four dollars and fifty cents ($2,104.50).

Janitor of flag-room, five hundred and forty dollars ($540).

Visitors' attendant, five hundred and forty dollars ($540).

Day policeman, five hundred and forty dollars ($540).

Night policeman, two hundred and seventeen dollars and seventy-two cents ($217.72).

Care and repair of heating apparatus, three hundred dollars ($300).

Shelving for office, indexing and filing papers, five hundred dollars ($500).

Repairs to closet, south side of state house, two hundred and fifty dollars ($250).

Repairing esplanade to state house, one thousand dollars ($1,000).

Steam-traps, pipes, and labor of putting in, five hundred dollars ($500).

Extra clerical services, one hundred dollars ($100).

For washstand and fixtures in school commissioner's room, ninety dollars ($90).

Agricultural Department:

Encouragement of, three thousand six hundred and twenty-seven dollars and eight cents ($3,627.08).

Contingent expenses, six hundred dollars ($600).

Horticulture:

Encouragement of, one thousand dollars ($1,000).

Auditor of State's Department:

Contingent expenses, one thousand one hundred and twenty-five dollars ($1,125).

Salary of auditor, two thousand two hundred and fifty dollars ($2,250).

Salary of chief clerk, one thousand five hundred dollars ($1,500).

Salary of book-keeper, one thousand two hundred dollars ($1 200).

Salary of railroad and bank clerk, one thousand one hundred and twenty-five dollars ($1,125).

Salary of land clerk, one thousand one hundred and twenty-five dollars ($1,125).

Salary of canal and trust fund clerk, one thousand and fifty dollars ($1,050).

Salary of statistical clerk, nine hundred dollars ($900).

Claims for veteran bounties, one thousand dollars ($1,000).

Attorneys' fees in bank cases, five hundred dollars ($500).

Painting and carpets, four hundred dollars ($400).

For extra clerical services, eighty-three dollars ($83).

Attorney-General's Department:

Salary of attorney-general, one thousand one hundred and four dollars and seventeen cents ($1,104.17).

Salary of clerk, seven hundred and fifty dollars ($750).

Contingent expenses, two hundred and twenty-five dollars ($225).

Attorneys' fees on collections, four hundred dollars ($400).

School Commissioner's Department:

Contingent expenses, three hundred and seventy-five dollars ($375).

Salary of commissioner, one thousand five hundred dollars ($1,500).

Salary of first clerk, one thousand three hundred and twelve dollars and fifty cents ($1,312.50).

Salary of second clerk, nine hundred dollars ($900).

Traveling expenses, four hundred and fifty dollars ($450).

Boxing and shipping reports, seventy-five dollars ($75).

Extra clerical services, one hundred and forty-five dollars ($145).

Railroad Commissioner's Department:

Contingent expenses, including expenses outside, three hundred and thirty-seven dollars and fifty cents ($337.50).

Salary of commissioner, one thousand five hundred dollars ($1,500).

Salary of clerk, nine hundred dollars ($900).

Experts to examine railway bridges, and railways and superior means of railroad transportation, one thousand dollars ($1,000).

For additional clerk hire, one thousand dollars ($1,000).

Furniture, one hundred dollars ($100).

Fish Commission:

For the expenses of the commissioners, ten thousand dollars ($10,000), to be drawn on vouchers approved by the commission, six thousand dollars ($6,000) of the appropriation to be expended in the distribution of fish in the inland waters of the state; such portion of which as may be necessary may be used for the payment of one-half of the salary of officers.

Executive Department:

Contingent expenses, one thousand nine hundred and fifty-two dollars and thirteen cents ($1,952.13).

Salary of governor, three thousand dollars ($3,000).

Salary of lieutenant-governor, four hundred dollars ($400).

Salary of executive clerk, one thousand one hundred and twenty-five dollars ($1,125).

Salary of private secretary, six hundred dollars ($600).

For new furniture, one hundred dollars ($100).

Insurance Department:

Contingent expenses, one thousand two hundred dollars ($1,200).

Salary of superintendent, one thousand five hundred dollars ($1,500).

Salary of chief clerk, one thousand one hundred and twenty-five dollars ($1,125).

Salary of book-keeper, nine hundred dollars ($900).

Salary of examining clerk, one thousand three hundred and seventy-five dollars ($1,375).

Salary of corresponding clerk, seven hundred and fifty dollars ($750).

Salary of mailing clerk, six hundred dollars ($600).

Salary of actuary, two hundred and fifty dollars ($250).

Salary of extra clerks, eight hundred and twenty-five dollars and twenty-four cents ($825.24).

Four hundred and thirty-seven dollars and fifty cents ($437.50), to the credit of the extra clerk fund, March 15, 1884, is hereby covered back into the treasury.

For additional file cases, four hundred and fifty dollars ($450).

Bureau of Labor Statistics:

Contingent expenses and clerk hire, seven hundred and fifty dollars ($750).

Salary of commissioner, one thousand five hundred dollars ($1,500).

Traveling expenses, two hundred and fifty dollars ($250).

Judiciary:

Salaries of supreme, superior and common pleas judges, one hundred and forty-eight thousand six hundred and twenty-five dollars and sixty-six cents ($148,625.66).

Legislature:

For salaries and mileage of members of the general assembly, per diem of clerks, sergeants-at-arms and employes while the general assembly is in session, and the payment of the clerks of the house and senate after adjournment, as provided in sections thirty-nine, forty-three and forty-five of the revised statutes, sixty-six thousand dollars ($66,000).

Senate contingent expenses, five hundred and twenty dollars ($520).

House contingent expenses, six hundred dollars ($600).

Expenses of legislative committees, six hundred dollars ($600).

Senate clerk's contingent expenses, fifty dollars ($50).

House clerk's contingent expenses, one hundred dollars ($100).

For Frederick Blenkner for taking charge of the senate chamber and hall of the house and committee rooms after its adjournment in the spring of 1884, until its meeting January 1885, to put the same in condition immediately after adjournment and keep them so, continuously, and prepare them for the meeting of the general assembly in January, 1885, to take charge of the bill books and other property of the members as requested, six hundred and fifty dollars ($650); vouchers shall be allowed from month to month for services at the rate of two dollars and fifty cents per day ($2.50), the same to be approved by the auditor of state.

For payment of D. J. Edwards for services rendered in the organization of the present house of representatives, in addition to what has already been appropriated by resolution for that purpose, twenty-five dollars ($25).

State Library:

Purchase of books, one thousand one hundred and twenty-five dollars ($1,125).

Contingent expenses, four hundred and fifty dollars ($450).

Salary of librarian, one thousand one hundred and twenty-five dollars ($1,125).

Salary of assistant librarian, nine hundred dollars ($900).

For new clock, twenty dollars ($20).

Law Library:

Contingent expenses, one hundred and fifty dollars ($150).

Purchase of books, one thousand five hundred dollars ($1,500).

Salary of librarian, one thousand one hundred and twenty-five dollars ($1,125).

Salary of assistant librarian, seven hundred and fifty dollars ($750).

Telephone, sixty dollars ($60).

Shelving, seventy-five dollars ($75).

Mine Inspector's Department:

Contingent expenses, eight hundred and thirty-one dollars and thirty-three cents ($831.33).

Salary of inspector, one thousand five hundred dollars ($1,500).

Salary of assistant inspector, nine hundred dollars ($900).

Board of Public Works:

That there is hereby appropriated from any money coming into the treasury from the public works, the following sums, to wit: For the maintenance, repair, compensation of superintendent and other employes of the public works, not otherwise herein provided for, the receipts from tolls, rents, fines and other income arising from the public works, not otherwise appropriated.

For salary of chief engineer, two thousand dollars ($2,000).

For assistant engineer, sixteen hundred dollars ($1,600).

For attorneys' fees, five hundred dollars ($500).

For contingent expenses, six hundred dollars ($600). which shall include the expense of janitor.

That there is hereby appropriated to the Western Reserve and Maumee Road whatever money may be collected and paid into the treasury to the credit of said road.

Salaries of members, seventeen hundred and ninety-one dollars and sixty-nine cents ($1,791.69).

For the construction of a culvert under the Miami and Erie canal at Napoleon, Henry county, Ohio, fifteen hundred dollars ($1,500).

To pay costs of canal elevator company vs. Buckingham, two hundred and fifty-eight dollars and seventy-three cents ($258.73).

For resident engineers, for services rendered prior to March 15, 1884, three hundred dollars ($300).

Secretary of State's Department:

Contingent expenses, one thousand one hundred and twenty-five dollars ($1,125).

Salary of secretary, one thousand five hundred dollars ($1,500).

Salary of chief clerk, one thousand five hundred dollars ($1,500).

Salary of statistical clerk, one thousand one hundred and twenty-five dollars ($1,125).

Salary of stationery clerk, one thousand and twelve dollars and fifty cents ($1,012.50).

Salary of recording clerk, one thousand and twelve dollars and fifty cents ($1,012.50).

Salary of corporation clerk, one thousand and twelve dollars and fifty cents ($1,012.50).

Extra clerk hire, twelve hundred dollars ($1,200).

Distribution of laws and journals, one thousand three hundred and fifty dollars ($1,350).

Printing paper, twenty-six thousand two hundred and fifty dollars ($26,250).

Stationery for the use of the general assembly and state officers, seven thousand five hundred dollars ($7,500).

Superintendent of packing room, six hundred dollars ($6.00)

Carpets, furniture and repairs, seventy-five dollars ($75).

For volume forty of the Ohio state reports, as per contract, three hundred and twenty-three dollars and seventy-five cents ($323.75).

Ohio River Commission:

For Ohio river commission, three hundred dollars ($300).

Supervisor of Public Printing:

Contingent expenses, one hundred and fifty dollars ($150).
Salary of supervisor, one thousand three hundred and fifty dollars ($1,350).
State printing, nineteen thousand dollars ($19,000).
State binding, twenty thousand two hundred and fifty dollars ($20,250).

Supreme Court:

Contingent expenses, three hundred and fifty dollars ($350).
Contingent expenses of clerk, two hundred dollars ($200).
Salary of clerk, one thousand one hundred and twenty-five dollars ($1,125).
Salary of deputy clerk, nine hundred dollars ($900).
Salary of reporter, seven hundred and fifty dollars ($750).
Contingent expenses of reporter, one hundred dollars ($100).
Furniture for court room, three hundred and seventy-five dollars ($375).

Treasurer of State:

Contingent expenses, one hundred and fifty dollars ($150).
Messenger and janitor, six hundred dollars ($600).
Salary of treasurer, two thousand two hundred and fifty dollars ($2,250).
Salary of chief clerk, one thousand five hundred dollars ($1,500).
Salary of two book-keepers, two thousand and twenty-five dollars ($2,025).
Salary of night watchmen, twelve hundred dollars ($1,200).
Alarm telegraph and telephone, sixty-four dollars and sixty-five cents ($64.65).
Collecting auditor's drafts, one thousand seven hundred dollars ($1,700).
Desk, painting walls, and cleaning carpet, one hundred and ninety dollars ($190).
For repairing time lock, three hundred dollars ($300).

Supreme Court Commission:

Salary of judges, fifteen thousand dollars ($15,000).
Salary of clerk, three hundred and seventy-five dollars ($375).
Salary of additional deputy clerk, seven hundred and fifty dollars ($750).
Contingent fund, two hundred dollars ($200).
Salary of reporter, six hundred dollars ($600).
Furniture, carpets and repairs, forty-two dollars and forty-eight cents ($42.48).
Contingent expenses reporter, one hundred dollars ($100).

Athens Asylum for Insane:

Current expenses, sixty-eight thousand five hundred dollars ($68,500).

Officers' salaries, three thousand eight hundred and twenty-five dollars ($3,825).
Ordinary repairs, three thousand dollars ($3,000).
Carpets and furniture, one thousand five hundred dollars ($1,500).
Expense of trustees, two hundred and fifty dollars ($250).
Painting wards, one thousand dollars ($1,000).
Grading, one thousand dollars ($1,000).
For fencing, five hundred dollars ($500).
Horses and carriages, one thousand dollars ($1,000).
Books and pictures, three hundred dollars ($300).
Vats for irrigating garden, seven hundred dollars ($700).
For new green house, three thousand dollars ($3,000).

Cleveland Asylum for Insane:

Current expenses, sixty-five thousand dollars ($65,000).
Officers' salaries, three thousand eight hundred and twenty-four dollars and eighty-two cents ($3,824.82).
Ordinary repairs, three thousand dollars ($3,000).
Expense of trustees, two hundred and fifty dollars ($250).
New steam pump, one thousand two hundred dollars ($1,200).
Protecting and grading bank of creek, one thousand dollars ($1,000).
Painting walls, five hundred dollars ($500).
Carpets, eight hundred dollars ($800).
Horses, four hundred dollars ($400).
Books and pictures, three hundred dollars ($300).
New furniture, repairing and new mattresses, twelve hundred dollars ($1,200).

Columbus Asylum for Insane:

Current expenses, one hundred and ten thousand dollars ($110,000).
Officers' salaries, four thousand three hundred and fifty dollars ($4,350).
Ordinary repairs, two thousand seven hundred dollars ($2,700).
Expenses of trustees, one hundred and fifty-five dollars and twenty-five cents ($155.25).
Grading, one thousand five hundred dollars ($1,500).
Repair of boilers, one thousand dollars ($1,000).
Painting wards, two thousand dollars ($2,000).
Library, three hundred dollars ($300).
Carpets and furniture, one thousand five hundred dollars ($1,500).
Horses, five hundred dollars ($500).
Making window-guards safe, eight hundred and seventy-five dollars ($875).
Replacing return and steam pipes, and building vaults therefor, two thousand dollars ($2,000).
For out buildings, six hundred dollars ($600).

Deaf and Dumb Asylum:

Current expenses, thirty-eight thousand five hundred and sixty-three dollars ($38,563).

Salaries officers and teachers, fifteen thousand seven hundred and fifty dollars ($15,750).

Expenses of trustees, two hundred and sixty dollars ($260).

Ordinary repairs, two thousand dollars ($2,000).

Furniture and repairing dining-room, two hundred and twenty-five dollars ($225).

Carpets, eight hundred dollars ($800).

Inside painting, four hundred and fifty dollars ($450).

Outside painting, five hundred dollars ($500).

Foreman of printing office and supplies, six hundred and seventy-five dollars ($675).

Foreman of carpenter shop and supplies, one thousand and fifty dollars ($1,050).

One two-seated carriage, three hundred and seventy five dollars ($375).

One horse, one hundred and eighty dollars ($180).

Foreman of shoe-shop and supplies, eleven hundred and thirty-five dollars ($1,135).

Steam heating apparatus, sixteen hundred and ninety-four dollars and seventy-eight cents ($1,694.78).

Lumber for flooring school rooms and halls, twelve hundred dollars ($1,200).

Valleys and gutters, and painting same, eighteen hundred dollars ($1,800).

For two verandas, so arranged as to serve the purpose of fire escapes, twenty-one hundred dollars ($2,100).

For new laundry, three thousand dollars, ($3.000).

Dayton Asylum for Insane:

Current expenses, seventy thousand dollars ($70,000).

Officers' salaries, thirty-three hundred dollars ($3,300).

Ordinary repairs, twenty-five hundred dollars ($2,500).

Expenses of trustees, one hundred and fifty dollars ($150).

Horses and cattle, four hundred dollars ($400).

Carpets and furniture, one thousand dollars ($1,000).

Spring mattresses for wards, one thousand dollars ($1,000).

Covering for steam main, eleven hundred dollars ($1,100).

Governor and station meter for gas house, five hundred dollars ($500).

Painting wards, five hundred dollars ($500).

New hose, ladders and wagons, eight hundred dollars ($800).

Steam pipes, five hundred dollars ($500).

Water heaters, one thousand dollars ($1,000).

Library, two hundred dollars ($200).

Rent of plow and pasture land, two hundred and fifty dollars ($250).

For the purchase of ten and one-half acres of land, twenty-six hundred dollars ($2,600), or so much thereof as may be necessary to make said purchase.

Blind Asylum:

Current expenses, twenty-two thousand five hundred dollars ($22,500).

Salaries of officers and teachers, eight thousand and fifty dollars ($8,050).

Furniture, bedding and carpets, fifteen hundred dollars ($1,500).

Ordinary repairs, fifteen hundred dollars ($1,500).

Books and school apparatus, two thousand five hundred dollars ($2,500).

Expenses of trustees, two hundred and sixty dollars ($260).

Repairing chapel, five hundred dollars ($500).

Repairing walks, six hundred dollars ($600).

Painting and varnishing, one thousand dollars ($1.000).

Horses, four hundred and fifty dollars ($450).

New boilers, twenty-five hundred dollars ($2,500).

Imbecile Asylum:

Current expenses, seventy-five thousand five hundred dollars ($75,500).

Ordinary repairs, three thousand three hundred dollars ($3,300).

Salaries of officers and teachers, eight thousand dollars ($8,000).

Expenses of trustees, two hundred and twenty-five dollars ($225).

Longview Asylum:

Current expenses, ninety-six thousand dollars ($96,000). This sum is for the support of all insane in said institution, including colored, as provided by contract on file in auditor of state's office, which contract is hereby set aside and annulled, and said appropriation shall discharge the state from all legal and equitable obligations to said institution for the year commencing February 15, 1884, and ending February 15, 1885.

Lucas County Insane Asylum:

Care of insane, fifteen thousand seven hundred and ninety-five dollars ($15,795).

Soldiers' and Sailors' Orphans' Home:

Current expenses, sixty-eight thousand dollars ($68,000).

Salaries of officers and teachers, ten thousand dollars ($10,000).

Industrial pursuits, three thousand dollars ($3,000).

Ordinary repairs, twenty-five hundred dollars ($2,500).

Library, three hundred dollars ($300).

Expenses of trustees, two hundred and twenty-five dollars ($225).

Support of orphans outside, seven thousand
dred and fifty dollars ($7,750).

To pay net earnings, under section 680 of the revised statutes, fifteen hundred dollars ($1,500).

Horses, four hundred and fifty dollars ($450).

Laundry, three hundred dollars ($300).

Hospital, two hundred dollars ($200).

Sewerage, one thousand dollars ($1,000).

Forest trees, fifty dollars ($50).

Fire-hose, five hundred dollars ($500).

Furniture and carpets, one thousand dollars ($1,000).

Purchase of cows, four hundred and fifty dollars ($450).

New gas works, eight thousand five hundred dollars ($8,500).

Two steam traps, one hundred and fifteen dollars ($115).

Ventilating pipes for water closets in cottages, three hundred dollars ($300).

New roof for administration building, five hundred dollars ($500).

Board walk from school-house to chapel, one hundred dollars ($100).

Ohio Penitentiary:

Current expenses, seventy thousand dollars ($70,000).

Salaries of guards, forty-seven thousand dollars ($47,000).

Salaries of officers, eleven thousand seven hundred and seventy-five [dollars] ($11,775).

Salaries of directors, fifteen hundred dollars ($1,500).

Prosecution and transportation of convicts, as per sections 759, 761, and 7334 to 7337, inclusive, sixty thousand dollars ($60,000).

Manufacture of gas, eleven thousand one hundred and fifty dollars ($11,150).

Library books, six hundred dollars ($600).

Rewards to convicts, four thousand dollars ($4,000).

Repairs, five thousand dollars ($5,000).

Carpets, three hundred dollars ($300).

For the better ventilation and lighting of the old cells by enlarging the opening in front of the same, and putting in iron grating similar to the new cells, five thousand dollars ($5.000); the labor to be performed by convicts in the penitentiary not otherwise employed.

For new work shops, fifteen thousand dollars ($15,000).

To carry out the provisions of the law relating to the imprisonment of convicts in the Ohio penitentiary, etc., passed by the General Assembly, ten thousand dollars ($10,000).

Girls' Industrial Home:

Current expenses, twenty thousand dollars ($20,000).

Salaries of officers and teachers, ten thousand five hundred dollars ($10,500).

Expenses of trustees, four hundred dollars ($400).

Library, two hundred dollars ($200).

Purchase of horses, three hundred dollars ($300)

Grading and improving grounds, one thousand dollars ($1,000).

Repairs, three thousand dollars ($3,000).

Furniture and carpets for cottages, one thousand dollars ($1,000.)

Purchase of cows, three hundred dollars ($300).

Telephone, one hundred and fifty dollars ($150).

To renew and repair pipes leading to and from the springs, five hundred dollars ($500).

Repair of buildings for employes, one thousand dollars ($1,000).

Fruit and ornamental trees, one hundred dollars ($100).

Furnishing and completing laundry, three hundred dollars ($300.)

Sewing machines, three hundred dollars ($300).

Rent of pasture for stock, one hundred and twenty-five dollars ($125).

Fire hose and reel cart, seven hundred dollars ($700).

Fencing, one hundred dollars ($100).

Provided that the amount appropriated under the head of current expenses, one thousand dollars ($1,000), may be used for the purchase of material to encourage industrial pursuits as provided in section eight of the revised statutes of an act to establish the Girls' Industrial Home.

Reform Farm for Boys:

Current expenses, thirteen thousand seven hundred and fifty dollars ($13,750).

Salaries of officers, teachers and employes, sixteen thousand one hundred and twenty-five dollars ($16,125).

Repairs, fifteen hundred dollars ($1,500).

Expenses of trustees, two hundred and fifty dollars ($250).

Books, two hundred and fifty dollars ($250).

Screens for chapel windows, one hundred dollars ($100).

Furniture for boys' dining-room and dormitories, seven hundred dollars ($700).

For the purchase of tools, machinery, and material for mechanical purposes of instruction, five thousand dollars ($5,000).

For rewards to boys, five hundred dollars ($500.)

For gravel to be used on the road on reform farm for boys, one thousand dollars ($1,000).

Board of State Charities:

Expenses of board, to be drawn on the order of the board, twenty-six hundred and twenty-five dollars ($2,625).

Ohio State University:

Ordinary repairs, eighteen hundred and seventy-five dollars ($1,875).

Improvement of campus, seven hundred and fifty dollars ($750).

Expenses of trustees, three hundred and thirty-seven ollars and fifty cents ($337.50).

For removing and furnishing library and purchase of additions thereto, five thousand dollars ($5,000.)

Agricultural experimental station, thirty-seven hundred and fifty dollars ($3,750).

Meteorological bureau, expenses of, fifteen hundred dollars ($1,500).

Extension and distribution of weather signals, seven hundred and fifty dollars ($750).

For the purchase and putting in place of a gas engine and dynamo machine for the better instruction in electrical engineering, fifteen hundred dollars ($1,500).

Toledo House of Refuge:

Care of boys under contract, fifteen thousand six hundred dollars ($15,600).

SEC. 2. No appropriation made in the foregoing section, or any part thereof, shall be drawn for any other purpose than that for which it is made, nor shall any part thereof be drawn to pay deficiencies or debts existing prior to the fifteenth day of February, 1884.

Section 3. In addition to the several appropriations made for the insane, blind, deaf and dumb, and imbecile asylum, the girls' industrial home, and the reform farm for boys, there is hereby appropriated any amount of money received from other sources outside of the state treasury by the financial officers of the respective institutions; and the same shall be credited to the current expense account.

Miscellaneous:

To pay an order drawn in pursuance of senate resolution No. 56, passed in 1881, in favor of F. D. Bayless, in the contested election case of Bayless vs. Pollard, one hundred and twenty-three dollars ($123).

To pay United States Express Company for services prior to February 15, 1883, twenty-four dollars and twenty-four cents ($24.24).

To pay order No. 12, drawn in favor of Walter Hartshorn, a senate page, twenty-five dollars ($25.)

For refunding taxes to Ohio University (O. L., v. 72, p. 84), collected on grand duplicate of 1881, one hundred and seven dollars and fifty cents ($107.50), and on grand duplicate of 1882, one hundred and eight dollars and twenty-six cents ($108.26).

For balance due A. Gemunder, for organ furnished institution for the blind, five hundred dollars ($500).

No bills for extra clerk hire (except in the executive department), sprinkling streets, furniture or carpets, shall be paid out of the appropriation therein made for contingent expenses.

No money therein appropriated shall be drawn except on a requisition on the auditor of state, approved by the head of each department, which shall set forth the service rendered or the materials furnished, and the dates of purchase and time of service, and it shall be the duty of the auditor of state to see that these provisions are complied with.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK.
President of the Senate.

Passed April 4, 1884.

[Senate Bill No. 142.]

AN ACT

To amend sections 1998, 2012, 2013, 2014, 2021 and 2022 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections nineteen hundred and ninety-eight, two thousand and twelve, two thousand and thirteen, two thousand and fourteen, two thousand and twenty-one, and two thousand and twenty-two of the revised statutes of Ohio be so amended as to read as follows:

Control of police; in whom vested in certain cities.

Section 1998. In cities of the first and second grades of the second class, and in cities of the third grade of the second class having a population of nineteen thousand, and not exceeding twenty thousand, and in cities having a population of twenty thousand and not exceeding thirty thousand five hundred, by the last federal census, and that have not been advanced to a city of the second grade, second class, all powers and duties with respect to the appointment, regulation, government and control of the police shall be vested in and exercised by a board consisting of a mayor, who shall be president, and four commissioners, who shall be electors and freeholders of the city, and a majority shall constitute a quorum, and in cities of the third grade of the second class, having a population of nineteen thousand and not exceeding twenty thousand, and in cities having a population of twenty thousand and not exceeding thirty thousand five hundred, by the last federal census, and that have not been advanced to a city of the second grade, second class, said commissioners shall be elected by the people to serve for the term of two years, and until their successors are duly elected and qualified; the first election to be held within twenty days after the passage of this act; and thereafter said commissioners shall be elected at the annual municipal election, but no elector shall at any election vote for more than two persons for such

Police commissioners; how elected.

commissioners, and any ballot containing the names of more than two persons for said office shall not be counted for any of the names thereon, and the four persons receiving the highest number of votes cast shall be declared elected; provided, that in the case of said last named cities, the provisions of section nineteen hundred and ninety-nine of said revised statutes which relates to the term of office of said commissioners shall not apply, and all vacancies occurring during the term of said commissioners shall be filled as provided by said section nineteen hundred and ninety-nine; but in making such appointments the political complexion of the board shall not be changed, and in case any cities of the third grade of the second class, having a population of nineteen thousand and not exceeding twenty thousand, and any city having a population of twenty thousand and not exceeding thirty thousand five hundred by the last federal census, and that have not been advanced to a city of the second grade, second class, shall be changed in grade or class, the police board hereby provided for such cities and its powers and duties shall not be affected by such change. Provided, that in said last named cities the present police force shall continue in office only until a police force is appointed by said board and duly qualified.

Proviso.

Costs in trials; how collected and disposed of.

Section 2012. In trials under the three preceding sections the same costs shall be charged and taxed as in trials before justices, and be collected on execution to be issued by the mayor or police clerk of the city, on certificate of the same by the board, and order for execution, which costs, when collected, shall be paid to the clerk of the board for the benefit of those concerned, but the members of the board shall not tax or receive any fees for themselves.

Members of force injured entitled to relief from fund.

Section 2013. When a member of the police force in performance and in consequence of the performance of official duty, becomes bodily disabled, his necessary expenses during such disability may be paid from the "police life and health insurance fund," provided for in section nineteen hundred and forty-five, which section is hereby made applicable to cities of the first and second grades of the second class, as if the same were here repeated, at the discretion of the board of police, and the board shall inquire into the circumstances, and if satisfied the charge upon the fund is correct, may in writing order the same to be paid by the draft of the trustees upon the fund, each trustee subscribing his name thereto; but the provisions of this section shall not apply to special patrolmen, the appointment of which is herein provided at the request and expense of private persons, and in all cities of the third grade of the second class, having a population of nineteen thousand, and not exceeding twenty thousand, and

In certain cities; how fund constituted.

in cities having a population of twenty thousand and not exceeding thirty thousand five hundred, by the last federal census, and that have not been advanced to a city of the second grade, second class, said "police life and health insurance fund" shall be constituted only from rewards, fees, proceeds of gifts and emoluments that may be allowed by the

board of police to be paid or given on account of extraordinary services of a member of the police force, and all unclaimed money, and the proceeds arising from the sale of unc) property, and all fines imposed by the board of police upon members or officers of the force, for violation of the rules of the police board, all of which shall be paid into the city treasury for the purpose of said fund, otherwise said section nineteen hundred and forty-five of the revised statutes of Ohio shall apply to said last named cities.

Police precincts and station houses to be established.

Section 2014. It is hereby made the duty of the board of police where the same has not already been done for more effectually distributing and enforcing its police government and discipline to divide the city into precincts without regard to ward boundaries; to assign captains of the police, and sergeants of the police to each of the precincts as they may deem for the best interest of the city; to establish from time to time a station or sub-station in each precinct or division for the accommodation of the police force on duty therein; to promulgate all regulations and orders through the superintendent of police, and the police force shall respect and obey the superintendent, subject to the rules and regulations and general orders of the board. In cities of the third grade of the second class having a population of nineteen thousand and not exceeding twenty thousand, and in cities having a population of twenty thousand and not exceeding thirty thousand and five hundred by the last federal census, and that have not been advanced to a city of the second grade, second class, the board shall not be required to establish a station or sub-station in each precinct or division for the accommodation of the police force on duty therein; but said board may exercise its discretion therein, and it shall have the power to provide for the appointment, removal and compensation of the necessary employes, superintendents, and other officers for all station houses and city prisons, and also to provide for control, management, and maintenance of said station houses and city prisons, under such rules and regulations as may be prescribed by the board, and all expenses thereby incurred shall be payable out of the general expense fund of the city treasury, except that the compensation for said employes, superintendents and all other officers for station houses and city prisons, shall he payable out of the police fund of said city treasury; and it shall have power to provide for keeping at hard labor all male persons convicted of violating any of the ordinances of said city, for the non-payment of any fine or costs imposed by the mayor for such violation, until such fine and costs are paid by the labor of such person; and all work done upon the public streets in cleaning and constructing the same or in the preparation of the material for the same, or in the erection of city buildings, or in the construction of city public works, or at such other places in or about said city, as the said board may from time to time order and direct, shall be performed by such persons at hard labor as far as the same can be done by them, and each of such persons at hard labor shall be allowed the

Non-payment of fines and costs; powers of board as to.

sum of seventy-five cents per day for each day he shall be actually at work, until the amount of the fine and costs is thereby fully satisfied, and said costs when so satisfied, shall be paid to the parties entitled thereto, out of the general expense fund of the city treasury; and it shall have power to provide for the appointment, removal and compensation of the necessary superintendents, and other officers to have the charge of such persons at hard labor, under such rules and regulations as may be prescribed by the board, and all expenses thereby incurred, shall be payable out of the general expense fund of the city treasury, and all payments hereby authorized to be made, are to be paid in the manner prescribed by section two thousand and seventeen of the revised statutes of Ohio. And it shall have the power heretofore vested in the city council of such cities to appoint deputy marshals and to remove any and all deputy marshals at its pleasure.

Powers of board as to appointments and removals.

Power of mayor to suspend officers of police force.

Section 2021. The mayor of such cities shall have power to suspend any officer of the police force and appoint a person to perform the duties of such suspended officer until the next regular meeting of the board of police commissioners, when his action shall be submitted to said board, and the board shall determine whether such suspension shall be permanent, and if the board so determine, it shall proceed to make an appointment to fill the vacancy; provided, that in all cities of the third grade of the second class having a population of nineteen thousand and not exceeding twenty thousand, and in cities having a population of twenty thousand and not exceeding thirty thousand five hundred by the last federal census, and that have not been advanced to a city of the second grade, second class, the mayor shall have power to suspend any member or officer of the police force, and shall have power further, to appoint a person to perform the duties of such suspended member or officer until the next regular meeting of the board, and in every case of such suspension the mayor shall report the cause thereof in writing to the board, and the person so suspended shall be tried upon said charges in the same manner as in the case of written charges by any citizen of such city, and as provided in sections two thousand and nine, two thousand and ten, and two thousand and eleven and two thousand and twelve, of said revised statutes of Ohio.

Section 2022. Sections nineteen hundred and twenty-nine, nineteen hundred and thirty-one, nineteen hundred and thirty-two, nineteen hundred and thirty-three, nineteen hundred and thirty-four, nineteen hundred and thirty-five, nineteen hundred and forty-one, nineteen hundred and fifty, nineteen hundred and fifty-one, nineteen hundred and fifty-two, nineteen hundred and fifty-three, nineteen hundred and fifty-four, nineteen hundred and fifty-five, nineteen hundred and fifty-six, nineteen hundred and fifty-seven, nineteen hundred and fifty-eight, nineteen hundred and sixty-one, nineteen hundred and sixty-two, nineteen hundred and

sixty-three, nineteen hundred and sixty-four, nineteen hundred and sixty-five, nineteen hundred and sixty-six, nineteen hundred and sixty-seven, nineteen hundred and sixty-eight, nineteen hundred and seventy-one, nineteen hundred and seventy-two, nineteen hundred and seventy-three, nineteen hundred and seventy-five, nineteen hundred and seventy-six, nineteen hundred and eighty and nineteen hundred and eighty-one, are hereby made applicable to cities of the first and second grades of the second class as though said sections were in this sub-division repeated. All of the sections in this section enumerated, except sections nineteen hundred and twenty-nine, nineteen hundred and thirty-one, nineteen hundred and thirty-three, nineteen hundred and forty-one, nineteen hundred and sixty-one, nineteen hundred and sixty-two, nineteen hundred and sixty-six, nineteen hundred and sixty-seven, and nineteen hundred and sixty-eight, are hereby made applicable to cities of the third grade of the second class having a population of nineteen thousand and not exceeding twenty thousand, and to cities having a population of twenty thousand and not exceeding thirty thousand five hundred by the last federal census, and that have not been advanced to a city of the second grade, second class, as though said sections were in this sub-division repeated.

Sections made applicable to certain cities.

SEC. 2. That original sections 1998, 2012, 2013, 2014, 2021 and 2022 of the revised statutes of Ohio be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 9, 1884.

[House Bill No. 301.]

AN ACT

To amend section 6862 of the revised statutes of Ohio

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section sixty-eight hundred and sixty-two of the revised statutes of Ohio be amended so as to read as follows:

Section 6862. Whoever willfully throws any stone or other hard substance, or shoots any missile, at any railroad car, train, locomotive, or at any steam vessel or water craft of any description used for the purpose of carrying passengers or freight, or both, on any of the waters within or bordering on the state of Ohio, shall be fined not more than five hundred nor less than fifty dollars, and imprisoned in the peni-

Penalty for throwing or shooting at train or vessel.

tentiary not more than three years, or in the county jail not more than six months.

SEC. 2. Said original section 6862 be and the same is hereby repealed; this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 164.]

AN ACT

To declare the true intent and meaning of an act entitled an "act to amend sections 3207, 3208, 3209, 3210, and 3211 of the revised statutes of Ohio," as amended April 6, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the true intent and meaning of sections thirty-two hundred and seven, thirty-two hundred and eight, thirty-two hundred and nine, thirty-two hundred and ten and thirty-two hundred and eleven of the revised statutes of Ohio, as amended April 6, 1883, is hereby declared to be as follows: Any person or persons who perform labor, or furnish material or boarding, under contract, express or implied, with such railroad company, or any of its authorized agents, for the construction of such railroad, or any part thereof, is entitled to a lien for the payment of the same upon such railroad, as provided in section thirty-one hundred and eight of the above recited act.

Meaning of certain sections defined.

SEC. 2. This act shall be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 248.]

AN ACT

To provide for the term of office of the judges of the supreme court and supplemental to chapter one, title four, part first of the revised statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That one judge of the supreme court shall be elected on the second Tuesday of October each year, whose term of office shall commence on the ninth day of February next

Election and term of supreme judge.

after his election, and continue for five years, and the judges of the supreme court, now in office, shall hold during the terms for which they were respectively elected.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[Senate Bill No. 173.]

AN ACT

To provide for an additional term of the District Court, within and for the county of Wood, for the year 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in addition to the term of the district court, heretofore fixed by the judges of the tenth judicial district for the county of Wood for the year 1884, a term of said court be held in said county, commencing on the 30th day of June, 1884.

Additional term of district court for Wood county.

SEC. 2. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 56.]

AN ACT

To amend sections 4892 and 4894 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio* That sections four thousand eight hundred and ninety-two and four thousand eight hundred and ninety-four of the revised statutes of Ohio be amended so as to read as follows:

Section 4892. The trustees may, at their regular March session, each year, apportion and assign to the several supervisors of roads in their townships, or to other suitable persons, such road or roads or any part or parts thereof, in the road districts of such supervisors respectively, to be by such supervisors or by such other suitable persons kept in repair as required in section forty-eight hundred and ninety-one, and under the control and supervision of the trustees.

Trustees may assign roads to supervisors.

Section 4894. The trustees shall provide means for keeping in repair all such roads within their township, and for

Districts to be set off.

that purpose shall set off persons and districts; such persons shall perform their two days' labor as required by law, and also labor in commutation of taxes, the same to be worked out under the direction of such supervisors or such other suitable persons, as provided in sections forty-eight hundred and ninety-one and forty-eight hundred and ninety-two, and under the control and supervision of the trustees, and such supervisors or other suitable persons shall be authorized to give receipts therefor; and such trustees shall set off, from the common road fund of their township, such amount as to them shall seem equitable, to be an improved road fund, especially applicable to the care and improvement of such roads, and may also allow the use of any plows, scrapers, or other implements owned by the township for road purposes.

SEC. 2. That said original sections 4892 and 4894 be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker [pro tem.] of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 326.]

AN ACT

To amend section 5182 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section five thousand one hundred and eighty-two be amended so as to read as follows:

Section 5182. Each grand and petit juror drawn from the jury box pursuant to law, and each juror selected by the court, pursuant to section five thousand one hundred and seventy-three of this chapter, and each talesman shall be allowed two dollars per day, for each day he serves, and if not a talesman, five cents per mile from his place of residence to the county seat, and such compensation shall be certified by the clerk of the court, and paid by the county treasurer on the warrant of the county auditor.

Compensation of jurors.

SEC. 2. That section 5182 of the revised statutes of Ohio be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER.
Speaker [pro tem.] of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 110.]

AN ACT

To amend section 2107 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section twenty-one hundred and seven of the revised statutes of Ohio be amended to read as follows:

Commissioners may unite with city in erecting work-house.

Section 2107. The commissioners of any county may unite with any city or village located in such county in the erection, management, and maintenance of a work-house, for the joint use of such county and city or village; and the commissioners are authorized to levy and collect the necessary funds therefor from the taxable property of the county. Provided, that the commissioners shall not collect and expend a greater amount than shall be collected and expended by such city or village for the same purpose; that the work-house shall be managed and controlled in all respects as provided in this chapter; and provided further, that not more than ten thousand dollars shall be levied or appropriated by the commissioners for the purpose, unless the amount be approved by a majority of the voters of the county, exclusive of the city or village voting at some general election.

SEC. 2. That said original section 2107 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 337.]

AN ACT

To authorize the Ohio state board of agriculture to issue bonds for fair ground improvements.

State board of agriculture may issue bonds to improve grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Ohio state board of agriculture be and it is hereby authorized to issue bonds to the extent of not to exceed eighty thousand dollars, for the purpose of raising money with which to erect buildings and improve, for Ohio state fair purposes, grounds owned by the said state board.

Bonds; sale of.

SEC. 2. Said bonds shall extend from five to twenty years, in such ratio as the Ohio state board of agriculture may direct; shall be placed upon the market at not less than par value, and draw a rate of interest not to exceed six per cent. per annum.

Proceeds, how used.

SEC. 3. The moneys arising from the sale of these bonds shall be used only for the purpose named in section one of this act.

To create sinking fund for payment of.

SEC. 4. For the payment of such bonds as may by virtue of this act be placed upon the market, and for the interest that may accrue, the Ohio state board of agriculture shall create a sinking fund, in which shall be placed annually, until all bonds and interest have been paid, not less than fifty per cent. of the surplus earnings of the Ohio State fair.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 175.]

AN ACT

To amend section 4478 of the revised statutes of Ohio, as amended April 20, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-four hundred and seventy-eight of the revised statutes be so amended as to read as follows:

County ditch; when contract for same not completed.

Section 4478. A job not completed within the time fixed in the contract and bond may be re-estimated by the surveyor or engineer, and resold by him to the lowest responsible bidder, or he may complete it at the expense of the contractor and bondsman, but such job shall not be resold for a sum greater than such estimate or re-estimate, nor a second time to the same party; a contract and bond shall be entered into as hereinbefore provided, but the commissioners may, for good cause, give further time to any contractor, not exceeding one hundred and twenty days; the surveyor or engineer shall fix a time for the completion of the work re-sold not exceeding one hundred and twenty days from the date of the bond. A person or corporation who has sustained damages in consequence of the non-performance of such work may bring suit for such damages in any court of competent jurisdiction against any contractor failing to perform his contract, or upon the bond of such contractor, and recover damages, as provided by law in other cases; and no contractor shall be prosecuted on his bond until the section below has been completed.

Proceedings in case of damages.

SEC. 2. That said original section 4478, as amended April 20, 1881, is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 452.]

AN ACT

Requiring individual and partnership traders to record their names.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That from and after the first day of July, A. D. 1884, all individuals and copartnerships now doing a mercantile, mechanical or manufacturing business, or that may from and after said first day of July in said year, enter into or carry on any or all of said branches of business within the state, shall make out and file with the recorder of each county in which such business, or any branch thereof is carried on, a true and correct statement containing the name or names under which the same is, or will be, carried on; if the business is owned by one individual, the full and entire name and place of residence of said owner, or if a copartnership the full and entire individual name of each member of the copartnership with the respective place of residence of the same.

Business firms to file statement of names with recorder.

SEC. 2. That it shall be the duty of the recorder in each county to record in a book to be kept for that purpose, and open to public inspection, each and every such statement as required to be made by the provisions of this act, and by him received; and for filing or making any copy of such statement or certificate of the date of such filing, the recorder shall be entitled to the same fee or fees as are provided by law for like services in regard to chattel mortgages.

SEC. 3. If any such individual or copartnership referred to in this act fail to file such statement as named in this act on or before the time herein specified, or on or before the commencement of business as herein named, commenced on and after said first day of July, 1884, if such individual or copartnership shall bring suit in the courts of the state for the purpose of collecting any debt or claim due such individual or copartnership growing out of such mercantile, mechanical or manufacturing business, then upon proof by the defendant or defendants, to such action of the failure of such individual or copartnership to have so filed such statement as required by this act, the same shall constitute and be a legal defense to any such cause of action.

Failure to file name a legal defense.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker [pro tem.] of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 315.]

AN ACT

To amend section 4731 of the revised statutes of Ohio, relating to duties of supervisors of roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four thousand seven hundred and thirty-one be so amended so as to read as follows:

Supervisor, etc., to remove drift against bridges.

Section 4731. The supervisor of each road district or the superintendent of any free turnpike or improved road, shall remove or cause to be removed all timber or drift lodged against bridges, except toll bridges or bridges upon toll roads, and all timber, drift and sediment lodged in and obstructing the free passage of water in ditches constructed for the draining and protection of such roads, adjoining and upon the line of free turnpikes and all other public roads in his district; and he shall receive the same compensation for such work or duties performed as is prescribed by law for other road work. And in case any supervisor or superintendent fails or neglects to comply with the provisions of this act, he shall be held liable to a fine of not less than five and not more than twenty-five dollars.

Compensation for.

Penalty for neglect.

SEC. 2. That the original section 4731 is hereby repealed; and this act shall take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 300.]

AN ACT

To amend section 1424 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fourteen hundred and twenty-four of the revised statutes of Ohio be so amended as to read as follows:

School lands; proceedings for sale of.

Section 1424. The auditor of the county, on the recording of said proceedings, shall forthwith cause a notice to be published in some newspaper of general circulation in said county, for five consecutive weeks before the day of sale; and, at the same time, by posting up copies of such notice in six of the most public places in said county, two of which shall be in the township where the lands are situate, and one at the court house, containing a description of the lots or lands to be sold, the valuation thereof, and the time when said lands will be offered at public auction by said auditor, at the door of the court house, at not less than the appraised value thereof; one-third of the purchase money to be paid at the time of sale, and the balance in two annual installments of

equal amount, with interest payable annually thereon; and said auditor shall at such time and place proceed to offer the same to the highest bidder on the terms stated in the notice; provided, if the principal value of such school land consists in the timber thereon growing, on the request of the trustees, or a majority of them, the auditor who sold such school lands shall require the whole of said purchase money to be paid at the time of sale.

SEC. 2. That said original section 1424 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 101.]

AN ACT

To amend section 4443 of the revised statutes of Ohio, as amended February 22, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-four hundred and forty-three, as amended February 22, 1882, be so amended as to read as follows:

Section 4443. A bushel of the respective articles hereinafter mentioned shall mean the amount of weight, avoirdupois, in this section specified, viz.: Standard weight of bushel.

Of wheat, sixty pounds.
Of rye, fifty-six pounds.
Of oats, thirty-two pounds.
Of clover-seed, sixty pounds.
Of timothy-seed, forty-five pounds.
Of hemp-seed, forty-four pounds.
Of millet-seed, fifty pounds.
Of buckwheat, fifty pounds.
Of beans, sixty pounds.
Of peas, sixty pounds.
Of hominy, sixty pounds.
Of Irish potatoes, sixty pounds.
Of sweet potatoes, fifty pounds.
Of onions, fifty pounds.
Of dried peaches, thirty-three pounds.
Of dried apples, twenty-two pounds.
Of flax seed, fifty-six pounds.
Of barley, forty-eight pounds.
Of malt, thirty-four pounds.
Of Hungarian grass-seed, fifty pounds.
Of lime, seventy pounds.
Of coke, forty pounds.

Of bituminous coal, eighty pounds.
Of cannel coal, seventy pounds.
Of corn, shelled, fifty-six pounds.
Of tomatoes, fifty-six pounds.
Of apples, forty-eight pounds.
Of peaches, forty-eight pounds.
Of corn in the ear, seventy pounds, until the first of January next after it is raised, and after that date, sixty-eight pounds. (66 v. 28, § 1; 66 v. 117, 34, § 1; 72 v. 14, § 1; 74 v. 33, § 1.

SEC. 2. That said original section 4443, as amended February 22, 1882, be and the same is hereby repealed; and this act shall be in force and take effect on and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 322.]

AN ACT

To amend section 6334 of the revised statutes of Ohio, as amended March 5, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section sixty-three hundred and thirty-four of the revised statutes of Ohio, as amended March 5, 1883 (O. L. v. 80 p. 43), be amended to read as follows:

When probate court may accept resignation of trustee, or remove him.

Section 6334. The probate court may accept the resignation of any trustee accounting therein, or who has been appointed thereby, or may remove any such trustee for any cause for which the guardian of a minor may be removed, or because the interest of the trust requires such removal; and when the minor for whom the trustee was appointed has, since the appointment, become a resident of the state and for whom a resident guardian has been appointed, the probate court shall remove such trustee and require an immediate settlement of his account, and upon the resignation, removal or death of any such trustee, the probate court may appoint a successor, who shall give bond in the same manner and with like conditions as required by law of guardians of minors.

SEC. 2. That said original section 6334, as amended March 9, 1881, and March 5, 1883, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[Senate Bill No. 113.]

AN ACT

To authorize cities of the first grade of the first class to levy a tax for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all the cities of the first grade of the first class having a population of more than one hundred and fifty thousand, and wherein there is a pest-house or hospital for the care and treatment of pestilential and contagious diseases, governed and controlled by a board of trustees, said board of trustees be and they are hereby authorized to levy a tax not exceeding three twenty-fifths of a mill on the dollar valuation on the grand duplicate of all taxable property in said city, for the year 1884 only, and to certify the same to the auditor of the county wherein said city is situated, on or before the first Monday of June, 1884; and said auditor shall place the same on the tax duplicate of said county, the receipts whereof shall be paid into the county treasury of said county as a special fund for the payment of all expenses incurred by said board of trustees in the care and maintenance of the patients, in such pest-houses or hospital for the care and treatment of pestilential and contagious disease during an eruption of such pestilential and contagious disease, and in extinguishing and paying any existing indebtedness of said hospital incurred in such care and maintenance, and the city treasury of such city shall disburse the same on the order of said board of trustees, signed by the president and countersigned by the secretary of said board.

Certain cities may levy tax for pest house purposes.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 290.]

AN ACT

To amend section 4567*c* of the revised statutes of Ohio, as amended April 19, 1883 (O. L. vol. 80, p. 201), to clean out water-courses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-five hundred and sixty-seven (*c*) of the revised statutes (amended, O. L. v. 80, p. 201) be amended so as to read as follows:

Section 4567*c*. If the commissioners find that the bond has been filed and notice given, they shall proceed to hear and determine the petition, and shall proceed to view the premises along the proposed improvement and the lands of the petitioners affected by said mill dam or mill-dams, and

If conducive to public health, commissioners may purchase and remove mill-dams.

if they find that such improvement and removal of said mill-dam or mill-dams will be conducive to the public health, convenience or welfare, they shall at once proceed to negotiate with and purchase of the owner or owners of such mill-dam or mill-dams, all rights, title and interest they may have to or in the same, and all franchises pertaining thereto, receiving thereby the absolute right to remove the same for the free passage of water in the channel of such stream. Said purchases to be made upon such terms and for such price as may seem reasonable and just to said commissioners; at the same time said commissioners shall take with them a competent surveyor or engineer, who shall make a careful estimate of the necessary cost of removing said mill-dam or mill-dams for the free passage of water in the channel of such stream. Said commissioners shall fix a day for further hearing, and order that due notice be served, in writing, by the principal petitioners, upon each and every one of said petitioners, of the time and place of said hearing. If, on said hearing, it appears to the commissioners that the notice herein provided for has not been given, the commissioners shall adjourn to some future time, not exceeding twenty days, and shall order such notice to be given. On the day fixed by the commissioners for final hearing, they shall meet at the time and place appointed, and shall then and there state and make known to the petitioners the amount asked by the owner or owners of such mill-dam or mill-dams of all their right, title and interest to and in the same and the franchises pertaining thereto, and for the right to remove the same so that the waters of such stream shall pass through without hindrance; and the necessary cost of removing said mill-dam or mill-dams, as estimated by said engineer or surveyor, together with all other taxable costs of the proceedings. And if, upon such statement, no objections be made thereto, by said petitioners, or either of them, said commissioners shall make a record thereof. Said commissioners shall then apportion to each of said petitioners, in a fair and equitable manner, according to the benefits to be derived therefrom, as nearly as can be done, all costs of the proceedings, as in county ditch cases, the amount asked by the owner or owners of said mill-dam or mill-dams, and agreed upon as above, and the amount of cost necessary to the removal of said mill-dam or mill-dams, as reported by the surveyor or engineer. (But in any case, where a mill has become useless or has been destroyed, and has so remained for more than ten years, without any attempt to repair or rebuild the same, the mill-dam and water-rights and privileges belonging to the same shall be deemed abandoned and the right thereto as against the public health, convenience and welfare, under this act, shall cease and be barred; and the commissioners may, under this act, without bargain or compensation, cause such mill-dam to be removed and the water-course upon which it is located cleaned out and improved, when an apportionment has been made, as hereinbefore stated.) The commissioners

Estimating cost of removing same.

Cost of to be apportioned according to benefits.

When right to compensation barred.

shall then order the said amounts to be placed upon the tax duplicates, against the real estate of said petitioners benefited by the removal of such dam, and to be collected within the time and to meet the payments as far as practicable, in conformity with the provisions of the county ditch law, agreed upon between said commissioners and said mill-dam owner or owners, adding to the first year's assessment the taxable costs of the proceedings, and the estimated costs of removing said mill-dam or mill-dams. Said assessment shall be collected the same as other assessments against real estate, and paid into the treasury of the county wherein said petitioners reside, and wherein said mill-dam or mill-dams are situated, and shall be paid out by the county treasurer on the warrant of the county auditor, who shall issue his warrants in accordance with the records and orders of the county commissioners. The surveyor or engineer appointed by the commissioners, shall sell at public outcry the work of removing such mill-dam or mill-dams, and supervise the same, as stated in sections forty-four hundred and seventy-five, forty-four hundred and seventy-six, forty-four hundred and seventy-seven and forty-four hundred and seventy-eight of the revised statutes of Ohio. From the action of said commissioners in apportioning the costs, expenses and assessments provided herein, there shall be no appeal.

Cost of to be taxed against real estate of petitioners.

Surveyor to sell work by public outcry.

SEC. 2. That said original act (section) 4567*c* be and the same is hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[House Bill No. 403.]

AN ACT

To amend sections 6017, 6047, 6049, 6175, 6178, 6187, 6191 and 6192, and to repeal section 6048 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections sixty hundred and seventeen, sixty hundred and forty-seven, sixty hundred and forty-nine, sixty-one hundred and seventy-five, sixty-one hundred and seventy-eight, sixty-one hundred and eighty-seven, sixty-one hundred and ninety-one and sixty-one hundred and ninety-two of the revised statutes of Ohio be amended to read as follows:

Section 6017. The probate court may at any time remove any executor or administrator, he having twenty days' notice thereof, for habitual drunkenness, gross neglect of duty, incompetency, fraudulent conduct, removal from the state, or

Removal of executor or administrator, and cause therefor.

that there are unsettled claims or demands existing between him and the estate, which in the opinion of the court may be the subject of controversy or litigation between him and the estate, or persons interested therein, or any other cause which in the opinion of such court renders it for the interest of the estate that such executor or administrator be removed, and the other executor or administrator, if any there be, may proceed in discharging the trust, as if the executor or administrator so removed were dead, and if there be no other executor or administrator to discharge the trust, the court may commit the administration of the estate not already administered to some other person or persons, in like manner as if the executor or administrator so removed were dead.

How return of inventory may be enforced.

Section 6047. If any executor or administrator shall neglect or refuse to return such inventory within three months after his appointment, the probate court shall issue an order requiring such executor or administrator, at a short day therein named, to return an inventory according to law, or to show cause before the court why an attachment should not issue against him.

Removal for neglect to return inventory.

Section 6049. If such order cannot be served personally by reason of such executor or administrator absconding or concealing himself, or if, after personal service, as provided in the preceding section, such executor or administrator shall neglect for thirty days to make and return such inventory, the court may remove him, and new letters shall be granted as provided in section sixty hundred and seventeen.

Executor to render account, etc.

Section 6175. Every executor or administrator shall, within eighteen months after his appointment, render his account of his administration upon oath, and he shall in like manner render such further accounts of his administration, and every twelve months thereafter, and also at such other times as may be required by the court, until the estate shall be wholly settled, and he may be examined upon oath on any matter relating to his accounts and the payments therein mentioned, and also touching any property or effects of the deceased, which have come to his hands.

When executor or guardian shall render final account.

Section 6175*a*. Where an executor or administrator has died, or shall by reason of insanity or other incompetency, as provided by law, be placed under guardianship before the estate is fully administered, it shall be the duty of the executor, administrator, or guardian of such deceased or incompetent executor or administrator, to render a final account of such decedent's or ward's administration within six months after his appointment.

How compelled to render account.

Section 6178. If any executor or administrator shall fail to render his accounts as hereinbefore directed, he may be compelled to do so, as in case of failing to file an inventory, and the same proceedings may be had to attach and remove him and to appoint a successor.

How account may be opened after settlement.

Section 6187. When an account is settled in the absence of any person adversely interested, and without actual notice to him, the account may be opened on his filing exceptions to the account at any time within eight months thereafter;

and upon every settlement of an account by an executor or administrator, all his former accounts may be so far opened as to correct any mistake or error therein; excepting that any matter of dispute between two parties, which had been previously heard and determined by the court, shall not be again brought into question by either or the same parties without leave of the court. If upon hearing and settlement of such account, a balance remains in the hands of the executor or administrator due the estate, the court may in its discretion order distribution to be made by such executor or administrator according to law.

How unclaimed money to be invested.

Section 6191. If any sum of money directed by a decree or order of the court to be distributed to heirs, next of kin, or legatees, shall remain for the space of six months unclaimed, the executor or administrator who was ordered to pay over the same, may, by order of the court, invest the same in stocks, or loan the same on bond or mortgage, as the court shall direct, to accumulate for the benefit of the persons entitled thereto, and such investment shall be made in the name of the judge of the court for the time being, and shall be subject to the order of the judge and his successors in office, as hereinafter provided; and the person making such investment shall file in the court a memorandum thereof, with the original certificates, or other evidence of title thereto, which shall be allowed as a sufficient voucher for such payment under the said order or decree; provided, that if the amount cannot be so invested, the same, under the order of the court, may be turned into the county treasury and credited to the general fund, and the receipt of the county treasurer taken therefor and filed as a sufficient voucher.

Proviso.

How such money paid to owner.

Section 6192. When the person entitled to the money invested, or turned into the treasury, shall satisfy the court of his right to receive the same, the court shall order it to be paid over and transferred to him; and in case it shall have been turned into the treasury, he shall receive a warrant therefor, from the auditor, upon the certificate of the judge.

SEC. 2. That section 6048 of the revised statutes of Ohio be and the same is hereby repealed.

SEC. 3. That said original sections [6017] 6047, 6049, 6175, 6178, 6187, 6191 and 6192 of the revised statutes of Ohio be and the same are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[House Bill No. 124.]

AN ACT

To amend sections 394, 395, 396, 397, 398, 399, 400, 401, 402, 403 and 404 of the revised statutes of Ohio, as amended by an act entitled "an act to create the office of supervisor of oils, and to amend title three, chapter fifteen, of the revised statutes of Ohio," passed April 9, 1880, to repeal said sections as so amended, and to create the office of state inspector of oils.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections three hundred and ninety-four, three hundred and ninety-five, three hundred and ninety-six, three hundred and ninety-seven, three hundred and ninety-eight, three hundred and ninety-nine, four hundred, four hundred and one, four hundred and two, four hundred and three, and four hundred and four, of the revised statutes of Ohio, as amended by an act entitled "an act to create the office of supervisor of oils, and to amend title three, chapter fifteen of the revised statutes of Ohio," passed April 9, 1880, be and the same are hereby amended so as to read as follows:

Manner of inspection of petroleum oils.

Section 394. All mineral or petroleum oil, or any oil fluid or substance which is a product of petroleum, or into which petroleum or any product of petroleum enters or is found as a constituent element, whether manufactured within this state or not, shall be inspected, as provided in this chapter, before being offered for sale or sold for consumption for illuminating purposes within the state, and such inspection shall be conducted as herein provided, in the following manner:

The test shall be made in a test cup of metal or glass, cylindrical in shape, two and a quarter inches in diameter, and four inches deep, both measurements being made inside the cup, and this cup shall be filled to within one-quarter of an inch of the brim with the oil or other substance to be tested, taken at the ordinary temperature; the cup shall be placed in a water-bath sufficiently large to leave a clear space of one inch under the cup, and three-eights of an inch around it, and in such manner as to project about one-quarter of an inch above the water-bath; the space between the cups and the water-bath shall be nearly filled with cold water taken at the ordinary temperature, and the cup being placed in the water-bath, the latter shall be heated by an alcohol lamp, with its flame so graduated that the rise in temperature from sixty degrees Fahrenheit to the highest heat test temperature shall not be less than two degrees per minute, and shall be as near two degrees per minute as is practicable, and shall in no case exceed four degrees per minute. A Fahrenheit thermometer shall be suspended in such a manner that the upper surface of its bulb shall be as near as practicable one quarter of an inch below the surface of the oil undergoing test; as soon as the temperature reaches the point of ninety-eight degrees Fahrenheit, the lamp shall be removed from under the water-bath, and the oil shall then be allowed to rise to the temperature of one hundred degrees

Fahrenheit, by the residual heat of water, and at that point the first test for flash shall be made as follows: a taper, hereinafter described, shall be lighted and the surface of the oil shall be touched with the flame of the taper, and it is lawful to apply this flame, either to the center of the oil surface or to any or all parts of it, but the taper itself shall not be plunged into the oil, and if no flash takes place upon the first contact of the flame with the oil, the taper shall not be held in longer contact, but shall be immediately withdrawn; if no flash takes place at the temperature of one hundred degrees Fahrenheit, the lamp shall be replaced under the water-bath, and the temperature raised to one hundred and three degrees, when the lamp shall be again withdrawn, and the oil allowed to rise to one hundred and five degrees by the residual heat of the water, when the test shall be made at one hundred and five degrees by again applying the flame of the taper as hereinbefore specified; if no flash occurs, the test shall be repeated as often as the oil gains five degrees in temperature, three degrees with the lamp under the water-bath, and two degrees with the lamp removed; these tests shall be repeated until a flash is obtained; the inspector shall further test the oil by applying the taper at every two degrees rise, without removing the lamp or stirring, but if a flash is obtained by this means by a less rise in temperature than five degrees herein required, he shall at once remove the lamp, stir the oil, and immediately apply the flame; the taper used for testing may be made of any wood giving a clear flame, and it shall be made as slender as possible and with a tip not more than one-sixteenth of an inch in thickness; no taper or match with sulphur upon it shall be used, unless the sulphur is removed before lighting; when the taper is lighted it shall be applied to the oil immediately, that is to say, before an ash or coal has had time to form on the end of the taper beyond the flame, and in applying the taper the flame shall be made to touch the oil, but the taper itself shall not be brought in contact with the oil, and if the taper is so brought in contact with the oil, but not held there longer than for the space of one second, and the oil flashes, the test shall not thereby be vitiated, but the inspector shall immediately remove the lamp, and again test the oil by the flame without allowing the body of the taper to touch the oil; no oil or other substance, which, by the test herein described, flashes at any temperature below one hundred and twenty degrees Fahrenheit, shall be allowed to be sold, or offered for sale, or consumed for illuminating purposes in this state; but it shall be deemed a sufficient compliance with the provisions of this section to test the oil or oils herein described by an apparatus known as the "Foster cup" or Foster's automatic oil tester; and it is lawful to sell, for illuminating purposes, any oil or oils herein described, to be consumed within the state, which bear a flash test of one hundred and twenty degrees Fahrenheit, as shown by said apparatus, and the state inspecter is hereby authorized to substitute the test by the Foster cup or Foster's automatic

oil tester, instead of the test by the open cup, as herein provided, if, in his judgment, by such change a greater uniformity of test throughout the state will be secured.

State inspector of oils; appointment and term of.

Section 395. Immediately upon the taking effect of this act, the governor shall appoint, by and with the advice and consent of the senate, a skilled and suitable person, who is not interested in manufacturing, dealing, or reducing any illuminating oils manufactured from petroleum, as state inspector of oils, whose term of office is for two years, to commence from the fifteenth day of May, 1884, and continue until his successor is appointed and qualified; and in case of a vacancy occurring by death, resignation, or otherwise, the governor shall fill the same as provided in section twelve of the revised statutes of Ohio; provided, that the present state supervisor of oils shall continue in office and perform the duties of state supervisor of oils, under this act, until May 15, 1884. The inspector when so appointed and qualified is empowered to appoint a suitable number of deputies who are not interested in manufacturing, dealing, or vending any illuminating oils manufactured from petroleum, who are empowered to perform the duties of inspection, and are liable to the same penalties as the inspector; and the inspector may remove any of the deputies for reasonable cause and appoint others on their place; provided, that all deputy supervisors of oils now in office shall remain and perform the duties thereof, under this act, until May 15, 1884. The inspector and his deputies shall provide themselves, at their own expense, with the necessary instruments and apparatus, and stencils, brands and stamps, for testing and marking the quality of illuminating oils, and when called upon for that purpose to promptly inspect all oils herein mentioned, and to reject for illuminating purposes, for consumption in this state, all oils which, by being adulterated with naptha, benzine, parafine, or other light oils or other substance, or for any other reason, will not stand and be equal to the test herein prescribed. The inspector shall prepare the forms of all stencils, brands, and stamps provided for in this chapter, and also such general regulations and rules for inspection, not inconsistent with the terms and provisions of this chapter, and such rules and regulations shall be binding on all deputy supervisors in the state. The inspector and his deputies are required to test the quality of all mineral or petroleum oils, or any oil, fluid, or substance which is a product of petroleum or into which petroleum or any product of petroleum enters, or is found as a constituent element, which is offered or intended to be offered for sale for illuminating purposes in this state, and if upon such testing or examination the same meets the requirement herein specified, the inspector or his deputies shall affix by stencil or brand, on any package, cask or barrel containing the same, and by a stamp subscribed with his official signature, the word "approved," with the date of such inspection; and it will then be lawful for any manufacturer, vendor, or dealer to sell the same, to

Empowered to appoint deputies.

Duties of.

be consumed within the state as an illuminator; but if the oil so tested does not meet such requirements, he shall mark by stencil or brand, in plain letters, on any package or barrel containing the same, and by a stamp subscribed with his official signature, the words "rejected for illuminating purposes," giving the date of such inspection; and it shall be unlawful for the owner thereof to sell oil so branded as rejected, to be consumed within the state for illuminating purposes; and if any person sells or offers for sale such rejected oil, he shall be deemed guilty of a misdemeanor, and shall be subject to a penalty in any sum not less than one thousand dollars, or be imprisoned in the county jail not exceeding twenty days, or both.

Rejected oil.

Section 396. Whoever is appointed state inspector, or deputy inspector, shall, before he enters upon the discharge of the duties of his office, take an oath of office, and file the same in the office of the secretary of state.

Oath and bond of inspector and deputy.

The inspector must execute a bond to the state in the sum of twenty thousand dollars, with sureties to be approved by the secretary of state, conditioned for the faithful performance of the duties imposed upon him by law, which bond shall be for the use of all persons in any way aggrieved or injured by the acts or neglect of the inspector, and the same shall be filed with the secretary of state.

The deputy inspectors must each execute a bond to the state in the sum of five thousand dollars, with sureties to be approved by the judge of probate of the county where the deputy is located, and file the same with the clerk of the court of common pleas in the county where he resides. The inspector or deputy inspector is entitled to demand and receive from the owner or party calling on him, or for whom he performs the inspection, the sum of forty cents for a single barrel, package, or cask; twenty-five cents, each, when the lot does not exceed ten in number; fifteen cents, each, when the lot does not exceed twenty in number; ten cents, each, when the lot does not exceed fifty in number, and five cents, each, for all lots exceeding fifty barrels; and all fees so accruing shall be a lien on the oil so inspected; every inspector, or deputy inspector, shall keep a true and accurate record of all oils so inspected and branded by him, which record shall state the date of the inspection, number of barrels, and the name of the person for whom inspected, and such record shall be open to the examination of any and all persons interested; and every deputy inspector shall, on the first Monday of each month, make a true and accurate return to the state inspector of all such inspections for the preceding month, giving the quantity inspected, the date of the inspection, and the name of the person for whom it is inspected; on the second Monday of November of each year, the state inspector shall make and deliver to the governor a report of the inspection by himself and deputies during the preceding calendar year.

Fees of.

Record of inspection to be kept.

Deputies to make monthly returns to inspector.

Section 397. If any person for or as agent for any other person shall sell, or attempt to sell, to any person in this state

Penalty for sale of uninspected oils.

any such oils to be consumed within this state for illuminating purposes, whether manufactured in this state or not, before having the same inspected as provided in this chapter he shall be fined in any sum not less than one hundred and not exceeding three hundred dollars; and if any person shall falsely brand any package, cask or barrel, as provided in section three hundred and ninety-four, or shall refill and use any package, cask or barrel having the inspector's brand thereon, without having the oil therein inspected, he shall be fined in any sum not exceeding five hundred dollars nor less than one hundred dollars, or be imprisoned in the county jail not exceeding six months, or both, at the discretion of the court.

For using false brands, etc.

For using uninspected oil.

Section 398. Whoever knowingly uses for illuminating purposes, any oil or product of petroleum, before the same has been inspected and branded by the state inspector, or his deputy, as hereinbefore provided, shall be fined in any sum not exceeding one hundred dollars, nor less than twenty dollars.

For selling casks without defacing brand.

Section 399. Any person selling or dealing in illuminating oils produced from petroleum, who sells or disposes of any empty barrel, cask, or package which has been branded by the inspector, or a deputy inspector, before thoroughly canceling, removing and effacing the inspector's brand on the same, shall be fined fifty dollars ($50) for each barrel, cask, or package thus sold or disposed of.

Oils shall not be adulterated.

Section 400. No person may adulterate with any substance whatever for the purpose of sale, or for illuminating purposes, any oil obtained from petroleum, or obtained from coal, in such manner as to render it dangerous to use; nor shall any person knowingly sell or offer for sale any oil obtained from petroleum, or from coal, or from the products of either, for illuminating purposes within this state, which by reason of being adulterated, or for any reason whatever, will flash at a temperature less than one hundred and twenty degrees of Fahrenheit's thermometer and the test herein prescribed; but oils not bearing the test herein prescribed may be used in street lamps for lighting streets or public wharves, ways or alleys, and also the gas or vapor from such oils may be used for illuminating purposes, when the oils from which said gas or vapor is generated are contained in reservoirs under ground, outside the building illuminated or lighted by the gas or vapor, and a person violating any of the provisions of this section shall be punished by imprisonment in any county jail not more than one year, or by fine not exceeding five hundred dollars ($500), or by such fine and imprisonment, at the discretion of the court.

Responsibility of dealers in oils.

Section 401. Whoever sells or keeps for sale, to be consumed in the state, any illuminating oil manufactured from petroleum or its products, and not inspected as provided in this chapter, shall be responsible to the party or parties injured for any violation of the provisions of this chapter by himself or by any clerk or person in his employ, in the sale of such oil.

Duties of inspector and deputies as to violations of law.

Section 402. The inspector, or any deputy inspector, who shall know of the violation of any of the provisions of this chapter, shall enter complaint before any court of competent jurisdiction, against any person so offending; and in case any inspector or deputy inspector, having knowledge of the violation of the provisions of this chapter, shall neglect to enter complaint as required by and provided for in this chapter, he shall be fined in any sum not exceeding five hundred dollars, and be removed from his position as such inspector or deputy inspector.

Inspector or deputy not to traffic in oils.

Section 403. No inspector or deputy inspector shall, while in office, traffic, directly or indirectly, in any article in which petroleum or other product thereof is a constituent part, which he is appointed to inspect, and in case of any violations of the provisions of this section by any inspector or deputy inspector, he shall be fined in any sum not exceeding five hundred dollars, and be removed from his position as such inspector or deputy inspector.

Disputes, to whom submitted.

All questions of dispute arising between the inspectors and manufacturers or dealers, shall be submitted to the professor of chemistry in the Ohio state university at Columbus, for consideration, and his decision shall be final.

Liability for damages.

Section 404. Whoever shall knowingly sell or cause to be sold any oil mentioned in this chapter, for illuminating purposes, which is below one hundred and twenty degrees Fahrenheit when tested, as provided in section three hundred and ninety-four, shall be liable to any person purchasing any of such oil, or to any person injured thereby, for all damages resulting from any explosion thereof, and it shall be no defense that the inspector's brand was upon the cask, or package or barrel from which the oil was taken.

SEC. 2. Said sections 394, 395, 396, 397, 398, 399, 400, 401, 402, 403 and 404 of the revised statutes of Ohio, as amended by the act entitled "an act to create the office of supervisor of oils and to amend title three, chapter fifteen of the revised statutes of Ohio" be and they are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[House Bill No. 121.]

AN ACT

Authorizing the burial of the body of any honorably discharged ex-union soldier, sailor or marine of this state, who shall hereafter die without leaving means sufficient to defray funeral expenses.

Burial of indigent soldiers and sailors.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be the duty of the county commissioners of each county in this state, to appoint three suitable persons in each township and ward in their respective counties, other than those prescribed by law for the care of paupers and the custody of criminals, whose duty it shall be to look after and cause to be interred, in a decent and respectable manner, in any cemetery or burial ground within this state, other than those used exclusively for the burial of the pauper dead, at an expense not to exceed thirty-five dollars, the body of any honorably discharged ex-union soldier, sailor or marine, having at any time served in the army or navy of the United States, who shall hereafter die, not leaving means sufficient to defray the necessary funeral expenses. Such persons so appointed shall hold their appointment so long as they serve to the satisfaction of the county commissioners, and whenever a vacancy occurs from any cause, it shall be the duty of the commissioners to fill such vacancy by the appointment of other suitable persons.

Duties of persons appointed to have charge of such burial.

SEC. 2. It shall be the duty of the persons so appointed in the foregoing section before they assume the charge and expense of any such burial, that they first satisfy themselves by a careful inquiry into and examination of all the circumstances in the case, that the family of such deceased soldier is unable, for want of means, to defray the expenses of such funeral or burial, whereupon, if they find such inability to exist, they shall cause to be buried such soldier, sailor or marine as provided in section one of this act; and they shall, also, immediately report the same to the county commissioners of their county, setting forth the fact that they found the family of such deceased soldier in indigent circumstances, and unable to pay the expenses of burial, together with the name, rank and command to which he belonged as a soldier or sailor, the date of death, the place where buried, and his occupation while living; and also an accurately itemized statement of the expenses incurred by reason of such burial, the report to be duly attested by three reputable persons, resident of the township or ward in which the deceased soldier lived, knowing the facts of the indigency and inability of the family to defray said funeral expenses.

Payment of expense.

SEC. 3. It shall be the duty of the county commissioners, upon receiving the report and statement of expenses provided for in section two of this act, to transcribe in a book to be kept for that purpose, all the facts contained in said report respecting said deceased soldier, and shall certify the expenses thus reported to the county auditor, who shall draw his warrant for the same, payable to the person or persons

designated by the county commissioners, upon the county treasurer to be paid out of the county fund of said county. It shall also be the duty of the county commissioners, upon the death and burial of any such soldier, sailor or marine, residing within their county at the time of his death, to make application to the proper authorities under the general government for a suitable head-stone, as provided by act of congress, and cause the same to be placed at the head of such deceased soldier's grave.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[House Bill No. 355.]

AN ACT

To provide for the examination and payment of certain military claims, and making an appropriation therefor.

Auditor of state and attorney-general to audit certain military claims.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of state and attorney-general shall constitute a committee for the purpose of examining, adjusting and allowing such claims as shall be presented to them on or before December 30th, 1886, and which shall, in the opinion of said committee, be just and proper, growing out of military transactions, and are of the same nature as were provided for by act of the general assembly of the state of Ohio, passed April 6, 1866, and acts amendatory thereof and supplementary thereto, and which have not been adjusted by the board of commissioners therein constituted.

Committee empowered to take testimony.

SEC. 2. The said committee shall have the same power to take testimony and shall be governed in their deliberations as provided for by the act referred to in the previous section; and payment of the claims allowed by the said committee shall be made by the officers of the state of Ohio. The claims of the longest standing to be settled and paid first to the claimants themselves, and not to claim agents.

Appropriation.

SEC. 3. There is hereby appropriated, out of any money in the treasury to the credit of the general revenue, and not otherwise appropriated, the sum of three thousand dollars for the payment of the claims that may be allowed and certified by the committee appointed by this act.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 89.]

AN ACT

To amend section 5441 of the revised statutes of Ohio, relating to exemptions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5441 of the revised statutes be so amended as to read as follows:

Property exempt from levy.

Section 5441. Husband and wife living together, a widower living with an unmarried daughter or minor son, every widow and every unmarried female having in good faith the care, maintenance and custody of any minor child or children of a deceased relative, residents of Ohio, and not the owner of a homestead, may, in lieu thereof, hold exempt from levy and sale real or personal property to be selected by such person, his agent or attorney, at any time before sale not exceeding five hundred dollars ($500) in value, in addition to the amount of chattel property otherwise by law exempted.

SEC. 2. That said original section 5441 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 134.]

AN ACT

To make an appropriation to construct an aqueduct under the Miami and Erie canal, in Van Wert county, Ohio, at the crossing of the West Jennings creek.

Board of public works may advertise for bids to construct culvert.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*. That the board of public works are hereby authorized, if deemed by them necessary, to advertise for proposals to construct a culvert under the Miami and Erie canal, at the place where the West Jennings creek crosses the said canal, in Van Wert county, and if the contract can be let at a cost not to exceed fifteen hundred dollars to the state, they may proceed to let the construction thereof to the lowest bidder, using the stone and other material on hand from the old culvert, suitable for the work, reserving the right to reject any and all bids.

Appropriation.

SEC. 2. That there be and hereby is appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of

fifteen hundred dollars to pay in full for the construction of said aqueduct [culvert].

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[Senate Bill No. 206.]

AN ACT

To change the location of the Razor Blade Shears Manufacturing Company of Blanchester, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the location and principal place of doing business of the Razor Blade Shears Manufacturing Company of Blanchester, Ohio, is hereby changed from Blanchester, Ohio, to Chillicothe, Ohio.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 539.]

AN ACT

To provide for the appointment of a board of control in counties having a population of 33,511 at the last federal census.

[SCIOTO COUNTY.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That in every county in this state which had by the federal census of 1880 a population of 33,511, there shall be appointed and organized, as hereinafter provided, a board of control for said county and for any city situate therein, consisting of five members, who shall be appointed by the court of common pleas, within and for said county, or a resident judge thereof in vacation, in the manner following, to-wit: At the April term of said court A. D. 1884, unless sooner appointed, said court shall appoint one member of said board of control to serve for the term of one year, one member to serve for the term of two years, one member to serve for the term of three years, one member to serve for the term of four years, and one

Board of control for certain counties.

Appointment and term of.

member to serve for the term of five years, and their successors from year to year shall be appointed for the full term of five years by said court at the term thereof within said county next preceding the first Monday of May in each year. A minute of said appointment shall be kept by the clerk of said court, and a notice thereof shall issue to the sheriff of said county, who shall forthwith serve the same on each person so appointed. No person holding any other public office within and for said county or city, shall be eligible to serve as a member of said board, and such appointments shall be so distributed that each political party shall be represented in said board as nearly as may be in proportion to its average vote, but nothing herein shall prevent the appointment of persons who act independent of political organizations, the object of this provision being to make and continue said board non-partisan in its political character.

Oath of office.

SEC. 2. Each member, before entering upon the discharge of the duties of his said office, shall take and subscribe an oath, that he will honestly and faithfully discharge the duties of said office without regard to personal or political gain or advantage, but with reference alone to the public service. The term of office of the members of said board of control shall commence on the third Monday of May, upon which day in the year 1884, said board shall meet and organize; the member having the shortest term to serve shall be president, and in his absence or on vacating the chair, the member present having the next shortest term shall act as president pro tem. They shall from their number select a clerk, who shall keep a journal of the proceedings of said board, his entries therein shall be read and approved by the board and signed by the president, or in his absence by the president pro tem., and countersigned by said clerk, and thereupon said journal and all transcripts therefrom duly certified by said clerk, shall be taken as evidence in any of the courts of this state. Said members shall receive no compensation for their services, except that a reasonable allowance shall be made to said clerk for his services, as such, not exceeding twenty dollars in any one month, and said clerk shall discharge such other duties as may be required of him by said board.

Organization of board.

Journal of proceedings.

Rules and regulations for government.

SEC. 3. Said board shall adopt rules and regulations for the transaction of its business in accordance with general parliamentary usage, shall hold meetings as often as once in each month, and a meeting may be called by the president or clerk whenever matters submitted to said board require immediate action.

Powers and duties of.

SEC. 4. Said board of control shall have final action and jurisdiction in all matters involving the levying of taxes, the appropriation and expenditure of money and the awarding of contracts by the board of county commissioners, turnpike directors, city council, board of education of such city, or other body or organization within said city authorized to levy taxes, make contracts or expend money in behalf of said county or city, and no levy of taxes, appropriation of money, contract or obligation by any of said bodies shall be

of any binding force until approved by said board of control. Nothing in this act, however, shall apply to the payment of salaries or allowance fixed by law, the current expenses of any court while in session, or to expenditure rendered necessary by casualty when delay for the action of said board would occasion great loss or harm. But said board, upon being satisfied that any moneys are being unnecessarily or extravagantly expended for any purpose whatever, by any board, officer or authority within said county or city, shall countermand the same, and all contracts or obligations thus countermanded shall thereafter be void and all contracts entered into without the approval of said board of control, shall be subject to the right and authority of said board to revoke the same, should the expenditure incurred thereby be, in the opinion of said board, extravagant or uncalled for by the necessities of the case.

Liabilities not valid unless approved by board.

SEC. 5. No liability shall be created against said county, or any city of said county, and no expenditures shall be made for the same unless such liability and expenditure is previously provided for and covered by an appropriation approved by said board of control, setting apart a sufficient sum of money to pay the same, and specifying in such appropriation the purpose for which said money may be expended, and all such liabilities created, or attempted to be created, by any board, council, officer, or other authority, shall be placed on record, and when such authority consists of more than one person, said record shall show the names of the members voting therefor and against the same, and any officer creating or attempting to create any liability contrary to the provisions of this section by his own act or by voting therefor, shall be personally liable to the party in whose favor said liability was created or attempted to be created for all damages he may sustain by reason of the invalidity of such action.

Estimates of taxation; how made.

On or before the 3d Monday of May, in each and every year, the commissioners of said county as commissioners and as turnpike directors, the city council of said city, the board of education of said city, and any other board or organization within said city authorized to levy taxes, make contracts, or appropriate money, shall cause to be filed in the office of the auditor of said county an itemized statement of the expenditures of such board or organization for the preceding year, and also a detailed estimate of the amount necessary to be expended during the ensuing year (commencing March 1st) stating the object and necessities of such estimated expenditures; and said auditor shall from such reports and from the records of his office make out and file with said board of control a detailed statement of the expenditures of said several boards of said county or city or other authority authorized to expend money in said county or city as aforesaid for the preceding year, and a detailed statement of all estimated expenditures for the ensuing year, with the objects and necessities of such estimated expenditures reported to him, and such suggestions in regard thereto as said county commissioners or said auditor may desire to add.

Duties of board as to levy of taxes.

SEC. 6. Said board of control shall carefully examine said report and determine the maximum amount of any levy therein proposed, which shall in no case exceed the maximum amount aliowed by the general laws of this state for the special objects therein named, except for the payment of indebtedness legally incurred before the passage of this act, and interest thereon. All contracts or other action of said county commissioners, turnpike directors, city council, board of education, or other authority within said county or city incurring any liability against said county or city, or attempting so to do, or to make any levy of taxes on the property of said county or city, after having been determined by the proper authority authorized to make the same, shall be presented to said board of control, and shall be acted upon by said board at their next regular meeting; but if said authority taking such action shall declare that immediate action thereon by said board of control is important, the clerk of said board shall notify the members thereof to meet at the earliest practicable date, which notice may be sent through the mail if sufficient time elapses to enable such member to receive such notice in time to attend such meeting, otherwise they shall be served by the sheriff of said county.

Tax levies to be approved by board.

SEC. 7. All action of said county commissioners, city council, board of education, within said county or city, or other boards or officers authorized to expend money raised by taxation, to incur any obligation or to make any levy of taxes, for or in behalf of said county or city, shall, after having taken final action in regard thereto, submit their action to said board of control, who shall at their next meeting act thereon, and if a majority of the whole number of said board shall vote in favor of the measure so submitted, it shall stand approved: but if a majority present shall vote therefor, and the number voting therefor be less than the majority of said board, said measure shall not stand approved, but shall remain before said board as unfinished business for at least one week before it can be approved by less than a majority of said board; in all other cases three members shall constitute a quorum, and a majority of those present shall be sufficient for the transaction of any business. Said board of control shall hold their meetings in the rooms occupied by the commissioners of said county, or such other convenient place as said board of control may provide, and their reasonable expenses shall be paid, and stationery furnished as for other officers of said county.

Vacancy in; how filled.

When any vacancy in said board of control shall occur in any manner other than the expiration of a term of office, the president of said board shall give notice of said vacancy to the probate judge of said county, who shall thereupon fill said vacancy for said unexpired term by appointment in the manner provided in section 1 of this act.

SEC. 8. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[Amended House Bill No. 3.]

AN ACT

To apportion the state of Ohio into mining districts, to provide for adequate and efficient inspection of mines, and to amend and repeal certain sections of the revised statutes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections two hundred and ninety (290), two hundred and ninety-one (291), two hundred and ninety-two (292), two hundred and ninety-three (293), two hundred and ninety-four (294), two hundred and ninety-five (295), and two hundred and ninety-nine (299), of the revised statutes of Ohio be so amended as to read as follows:

State divided into mining districts.

Section 290. For the purpose of facilitating an efficient and thorough inspection of mines in Ohio, and to provide an adequate inspecting force therefor, the state is hereby divided into mining districts, as follows:

The counties of Lawrence, Gallia, Meigs, Washington, Morgan, Hocking, Athens, Vinton, Jackson, Scioto, Pike, Ross, Pickaway, Fairfield, Fayette, Greene, Clinton, Highland, Adams, Brown, Clermont, Hamilton, Butler, Warren, Montgomery, and Preble, shall compose the first district.

The counties of Monroe, Belmont, Harrison, Jefferson, Tuscarawas, Carroll, Guernsey, Noble, Muskingum, Perry, Licking, Coshocton, Knox, Holmes, Franklin, Delaware, Morrow, Marion, Union, Madison, Clarke, Champaign, Logan, Hardin, Allen, Van Wert, Mercer, Auglaize, Shelby, Miami, and Darke, shall compose the second district.

The counties of Columbiana, Mahoning, Trumbull, Ashtabula, Lake, Geauga, Portage, Stark, Summit, Cuyahoga, Lorain, Medina, Wayne, Richland, Ashland, Huron, Erie, Crawford, Wyandot, Seneca, Sandusky, Ottawa, Lucas, Wood, Hancock, Putnam, Paulding, Henry, Defiance, Williams, and Fulton, shall compose the third district.

Appointment of chief inspector and district inspectors.

The governor shall appoint one chief inspector, who, with the approval of the governor, shall appoint three district inspectors of mines; the chief inspector shall hold his office for the term of four years, and the district inspectors shall hold their office for the term of three years, from the first day of May after their respective appointments, and until their successors are appointed and qualified; the first appointments hereunder shall be made within thirty days

from the passage of this act; in case of the resignation, removal, or death of the chief inspector, or any district inspector, the vacancy shall be filled in the manner above provided for original appointments for the unexpired term only, of the position so made vacant. No person shall be appointed chief inspector of mines unless he is possessed of a competent knowledge of chemistry, the geology of Ohio, and mineralogy, in so far as those sciences relate to mining, and has a practical knowledge of mining engineering, and the different systems of working and ventilating mines, and the nature and properties of the noxious and poisonous gases of mines, particularly fire-damp, and of the best means of preventing and removing the same; and no person shall be appointed district inspector of mines unless he be a practical miner of at least five years' experience, and a resident of the district for which he is appointed, for at least two years, and is possessed of a practical knowledge of the best mode of working and ventilating mines, of the means of detecting the presence of bad or foul air, noxious and poisonous gases, and of the best means of preventing and removing the same.

Vacancies, how filled.

Qualifications.

Bond and oath.

Section 291. Before entering upon the discharge of the duties of their respective offices, the chief inspector and district inspectors shall give bond to the state, the former in the sum of five thousand dollars, and the latter in the sum of two thousand dollars each, to be approved by the governor, conditioned for the faithful performance of their duties respectively; said bonds, with an oath of office on each, and approval of the governor indorsed thereon, shall be forthwith deposited with the secretary of state; the inspectors, while in office, shall not act as agent, manager, or mining engineer for any operator, or in any way be interested in operating any mine.

Duties of inspectors.

Section 292. The chief inspector and district inspectors shall give their whole time and attention to the duties of their offices respectively; it shall be the duty of the district inspectors to examine all the mines in their respective districts as often as possible, to see that all the provisions and requirements of this chapter are strictly observed and carried out; they shall particularly examine the works and machinery belonging to any mine, examine into the state and condition of the mines as to ventilation, circulation and condition of air, drainage, and general security; they shall make a record of all examinations of mines in their respective districts, showing the date when made, the condition in which the mines are found, the extent to which the laws relating to mines and mining are observed or violated, the progress made in the improvement and security of life and health sought to be secured by the provisions of this chapter, number of accidents, injuries received, or deaths, in or about the mines (and for this purpose every person having charge of any mine, whenever loss of life occurs by accident connected with the working of such mine or by explosion, shall give notice thereof forthwith by mail or otherwise to the inspector of mines, and to the coroner of the county in which such mine

When loss of life occurs.

is situated, who shall hold an inquest upon the body of the person or persons whose death has been caused, and inquire carefully into the cause thereof. and shall return a copy of the finding and all the testimony to the inspector); the number of mines in their respective districts, the number of persons employed in or about each mine, together with all such other facts and information of public interest concerning the condition of mines, development and progress of mining in their respective districts, as they may think useful and proper, which record shall, on or before the first Monday of every month, be filed in the office of the chief inspector, to be by him recorded, and so much thereof as may be of public interest, to be included in his annual report; in case of any controversy or disagreement between a district inspector and the owner or operator of any mine, or the persons working therein, or in case of conditions or emergencies requiring counsel, the district inspectors may call on the chief inspector for such assistance and counsel as may be necessary; should the district inspector find any of the provisions of this chapter violated, or not complied with, by any owner, lessee, or agent in charge of any mine, he shall immediately notify such owner, lessee, or agent in charge, of such neglect or violation, and unless the same is, within a reasonable time rectified, and the provisions of this chapter fully complied with, he shall institute a prosecution under the provisions of section six thousand eight hundred and seventy-one (6871) of the revised statutes. For the purpose of making the inspection and examinations provided for in this section, the chief inspector and the district inspectors shall have the right to enter any mine at all reasonable times, by night or by day, but in such manner as shall not unnecessarily obstruct the working of the mine; and the owner or agent of such mine is hereby required to furnish the means necessary for such entry and inspection; the inspection and examination herein provided for, shall extend to fire-clay, iron ore, and other mines, as well as coal mines.

Controversies, how arbitrated.

Inspectors to have free access to mines.

Section 293. The chief inspector shall issue such instructions, make such rules and regulations for the government of the district inspectors, not inconsistent with the powers and duties vested in them by law, as shall secure uniformity of action and proceedings throughout the different districts; and he may order one district inspector to the assistance of any other district inspector or make temporary transfers of district inspectors, when in his judgment the efficiency or necessity of the service demands or permits; and he may, with the consent of the governor, remove any district inspector at pleasure; the district inspectors are hereby invested with all the power and authority of county auditors, as sealer of weights and measures in the different counties of this state, and they shall be entitled to receive on payment therefor, from the secretary of state, the same copies as is provided by section one hundred and forty-three of the revised statutes to be furnished to county auditors; and for any service performed as such sealer they shall receive the

Chief inspector to issue rules and regulations.

May transfer district inspectors.

Sealeers weights and measures.

same compensation as now provided by section ten hundred and sixty-two of the revised statutes; but said inspectors shall exercise said authority in connection with weights and measures, only at mines in their respective districts; the chief inspector shall render such personal assistance to the district inspectors as they, from time to time, may require, and shall make such personal inspection of mines as he may deem necessary and his other duties will permit; he shall keep in his office and carefully preserve all maps, surveys, and other reports and papers required by law to be filed with him, and so arrange and preserve the same as shall make them a permanent record of ready, convenient and connected reference; he shall compile and consolidate the reports of district inspectors, and annually make report to the governor of all his proceedings, as well as those of the district inspectors, the condition and operation of the different mines of the state, the number of mines and the number of persons employed in or about such mines, the amount of coal, iron ore, limestone, fire-clay, or other mineral mined in this state, and for the purpose of enabling him to make such report, the owner, lessee, or agent in charge of such mine, or who is engaged in mining, is hereby required to give accurate information as to the foregoing facts on blanks to be furnished by the chief inspector under penalty of one hundred dollars, to be recovered at the suit of the chief inspector in the name of the state of Ohio, for refusal to furnish such information on demand of the chief inspector; he shall also include in such report such facts relative to the mineral resources of the state, and the development of the same, as shall in his judgment be of public interest; he shall enumerate all accidents, and the manner in which they occurred, in or about mines, and give all such other information as he thinks useful and proper, and make such suggestions as he deems important relative to mines and mining, and any other legislation that may be necessary on the subject for the better preservation of the life and health of those engaged in such industry.

Duties of chief inspector.

To make annual report to governor.

Penalty for refusing to furnish information.

Maps, plans of mines, etc., shall be kept in offices.

Section 294. The chief inspector shall have an office in the state house, in which shall be carefully kept the maps and plans of all mines in the state, and all records, correspondence, papers, and apparatus and property pertaining to his duties, belonging to the state, and shall be handed over to his successor in office; the district inspectors shall keep their offices in such place in their respective districts as will be most central and convenient to the mining region of their respective districts, and shall keep and preserve in their offices all maps, plans, surveys, and other papers belonging to their offices, in such manner as shall be of easy access and convenient reference to persons entitled to examine them. The district inspectors shall receive an annual salary of twelve hundred dollars ($1,200) per annum, and the chief inspector shall receive the same salary as is now provided for inspector of mines under section twelve hundred and eighty-four of the revised statutes.

Salaries.

Section 295. There shall be provided for the inspectors all instruments and chemical tests necessary for the discharge of their respective duties under this chapter, which shall be paid for on the certificate of the chief inspector, and shall belong to the state. Instruments, etc., furnished inspectors.

Section 299. The owner or agent of every coal mine operated by shaft, in all cases where the human voice cannot be distinctly heard, shall forthwith provide and maintain a metal tube from the top to the bottom of such shaft suitably calculated for the free passage of sound therein, so that conversation may be held between persons at the bottom and top of the shaft; there shall also be provided an approved safety-catch, and a sufficient cover overhead, on all carriages used for lowering and hoisting persons, and in the top of every shaft an approved safety gate, and an adequate brake shall be attached to every drum or machine used for lowering or raising persons in all shafts or slopes; and there shall also be provided in every shaft a traveling or passage way from one side of a shaft bottom to the other, so that persons working therein may not have to pass under descending cages. Speaking tubes and safety apparatus.

SEC. 2. That sections 290, 291, 292, 293, 294, 295, 299, and 306*a*, be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 478.]

AN ACT

To amend section 2580 of the revised statutes of Ohio, as amended April 3, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 2580 of the revised statutes of Ohio, as amended April 3, 1883, be amended to read as follows:

Section 2580. In cities of the first class, except the first and second grades, the superintendent of markets shall be appointed by the mayor, with the assent of the council, which shall prescribe the duties and fix the compensation of such officer; and in cities of the first class, second grade, the position of superintendent of markets is hereby abolished. In such cities of the first class, second grade, the mayor shall appoint, subject to the approval of the council, an inspector of markets and such assistants, janitors, and all other employes necessary for the care of markets, market grounds, Superintendent of markets. Inspector of markets.

and all public buildings of the corporation under the control of the city council. And the council of such cities shall prescribe the duties and fix the compensation of such inspectors, assistants and employes.

SEC. 2. That section 2580, as amended April 3, 1883, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 12, 1884.

[Senate Bill No. 241.]

AN ACT

To authorize the Union County Farmers' Insurance Company to change the location of its principal office.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the Union county farmers' insurance company be and it is hereby authorized to change the place of its principal office from York Center to Marysville, Union county, Ohio.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[Senate Bill No. 209.]

AN ACT

To authorize city councils of cities of the first grade of the second class to issue bonds for sewer purposes.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the first grade of the second class, wherein main trunk sewers have been constructed, or are now in process of construction, be and they are hereby authorized and empowered, for the purpose of completing such main trunk sewers now in process of construction, to issue from time to time the bonds of such city

Bonds to complete sewers.

for any sum not exceeding in the aggregate seventeen thousand nine hundred and seventeen dollars and forty-eight cents above the amount of bonds for like purposes heretofore already issued by such city.

Rate of interest, etc.

SEC. 2. Such bonds shall run for such length of time not exceeding thirty years, and shall bear such rate of interest not exceeding six per centum per annum, and such interest shall be payable annually or semi-annually, as such council may determine. Such bonds shall be designated, issued and sold in all respects in manner as is or may be provided by law for the designation, issuing and sale of bonds of such municipal corporation, and the proceeds of all sales thereof shall be applied exclusively to the purposes for which they are issued.

Additional tax for payment of.

SEC. 3. For the purpose of paying the principal and interest of any bonds which may be issued under the authority of this act as they mature respectively, the city council of such city is hereby authorized and empowered to levy and collect annually such rate and amount of taxes on each dollar of valuation of taxable property in the corporation on the tax duplicate, not to exceed one-tenth of one mill, as the council may determine, additional in rate and amount to the aggregate rate and the aggregate amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation, so that the maximum rate and amount of such taxes to be levied under the authority of this act for such bonds so hereafter to be issued for such sewer purposes, together with the rate and amount now by other acts authorized to be levied for such bonds already heretofore issued, or hereafter to be issued for such purposes, shall be one mill over and above and additional to the aggregate rate and aggregate amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[Senate Bill No. 251.]

AN ACT

To amend section 5084 and section 907, as amended April 2, 1880 (77 O. L., 113), and to supplement sections 5339, 528, 907, 4935 and 7092 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 5084, 5339, 528, 907, 4935 and 7092 of

the revised statutes of Ohio be amended and supplemented so as to read as follows:

Lost records.

Section 5034. Whenever a pleading, process, return, report, verdict, bill of exceptions, order, entry, or other act, file, or proceeding in any action or proceeding pending in any court of this state shall have been lost or destroyed, or is withheld by any person, such court may, upon the application of any party to such action or proceeding, order a copy or substantial copy thereof to be substituted.

How supplied or replaced.

Section 5339*a*. Whenever the record required by law of the proceedings, judgment or decree in any action or other proceeding of any court in this state, in which a final judgment has been rendered or any part thereof is lost or destroyed by fire, riot, or civil commotion, such court may upon the application of any party interested therein, grant an order authorizing such record or part thereof to be supplied or replaced:

1st. By a certified copy of such original record, or part thereof when the same can be obtained.

2d. By a duly certified copy of the record in the Supreme Court of such original record of any action or proceeding that may have been removed to the Supreme Court and remain recorded in said Supreme Court.

3d. By the original pleadings, entries, papers, and files in such action or proceeding when the same can be obtained.

4th. By an agreement in writing signed by all the parties to such action or proceeding, their representatives or attorneys, that a substituted copy of such original record is substantially correct.

To restore lost or destroyed record of final judgment.

Section 5339*b*. Whenever the record required by law or any part thereof of the proceedings or judgment or decree in any action or other proceeding of any court in this state in which the final judgment has been rendered, is lost or destroyed by fire, riot, or civil commotion, and such loss cannot be supplied or replaced as provided in section 5339*a*, any person or party interested therein may make a written application to the court to which said record belongs, setting forth the substance of the record so lost or destroyed, which application shall be verified in the manner provided for the verification of pleadings in a civil action, and thereupon summons shall issue and actual service or service by publication shall be made upon all persons interested in or affected by said original judgment or final entry in the manner provided by law for the commencement of civil actions, provided the parties may waive the issuing or service of summons and enter their appearance to such application; and upon the hearing of such application without further pleadings, if the court finds that such record has been lost or destroyed and that it is enabled by the evidence produced to find the substance or effect thereof material to the preservation of the rights of the parties thereto, it shall make an order allowing a record, which record shall recite the substance and effect of said lost or destroyed record or part thereof, and the same shall thereupon be recorded in said court, and shall

have the same effect as the original record would have if the same had not been lost or destroyed, so far as it concerns the rights of the parties so making the application, or persons or parties so served with summons or entering their appearance, or persons claiming under them by a title acquired subsequently to the filing of the application.

What admitted as evidence to effect such restoration.

Section 5339*c*. Upon the hearing of the application provided in section 5339*b*, the court may admit in evidence any complete or partial abstract of such record, docket entries, or indexes, and any other written evidence of the contents or effect of such records and published reports concerning such actions or proceedings, when the court is of opinion that such abstracts, writings and publications were fairly and honestly made before the loss of such records occurred.

Proceedings in error or appeal.

Section 5339*d*. Whenever a lost or destroyed judgment or order is one to which either party has a right to a proceeding in error or appeal, the time intervening between the filing of the application mentioned in section 5339*b*, and the final order of the court thereon shall be excluded in computing the time within which a petition in error may be filed or appeal taken as provided by law.

Costs, how paid.

Section 5339*e*. The costs to be taxed, upon an application to restore a lost or destroyed record, shall be the same as are provided for like services in civil actions. Where the record is lost or destroyed by fire, riot, or civil commotion, the costs of replacing and restoring the same as provided in sections 5339*a* and 5339*b*, shall be paid out of the county treasury by order of the court.

Records of probate court, how restored.

Section 528*a*. Whenever the records, dockets, journals and files, or any part thereof, of any probate court have been lost or destroyed by fire, riot, or civil commotion, the probate court may, of its own motion, or upon the application of any party interested therein, order the restoration of the record of every lost or destroyed will, and probate thereof, from the original or a certified copy of such will and probate, and all lost or destroyed administration dockets, guardian dockets, trustee dockets, journals of said court, records of bonds, and dockets of assignments and trustees under the insolvent laws of the state; and said probate court may, upon the application of any party interested, and upon notice to parties interested therein, order the restoration of any other record of any proceeding or document required by law to be recorded or filed (except a will and probate thereof), and for such purpose when a complete copy of such record cannot be obtained, the substance and effect of such lost record material to the preservation of the rights of the parties affected thereby may be ordered to be substituted for such lost or destroyed record. And for the purpose herein provided the probate court may issue a citation to any party to appear before the court, and to produce any document or paper in his possession and give evidence relating to said lost record.

Section 528*b*. To enable the court to make such restora-

Judge to make rules as to testimony, and appoint commissioner.

tion of such lost record, the judge of the probate court may make such rules and regulations governing the proceedings for taking testimony and ascertaining the facts with reference to the restoration of such lost or destroyed records as he may deem necessary for that purpose, and if such records are lost by fire, riot or civil commotion, may appoint a commissioner to take testimony and report the same and his findings thereon, in matters of restoration of such lost records, before whom all such evidence shall be taken, unless upon the application of the parties a reference shall be ordered to a special master commissioner, in which case the costs of reference shall be paid by the parties. And such commissioner appointed by the court shall be paid a salary of twenty-five hundred dollars per annum and hold his office for one year from the date of his appointment.

Costs; how paid.

Section 528c. The costs of restoring the records of the probate court, except as herein otherwise provided, shall be paid out of the county treasury, upon the order of the probate judge.

Records affecting real estate, how restored.

Section 907. Whenever any of the records of any county are destroyed in whole or in part, any map, plat, deed, conveyance, mortgage, power of attorney, or other instrument in writing, or record in any proceeding authorized by law to be recorded, which affects real estate in the county, or the continuing rights of parties to such record, and of which the originals or exemplifications of the same have been recorded, such originals or exemplifications, or certified copies of the former record, may be recorded in the proper office therefor; and in re-recording the same, the officer shall record the certificate of the previous record with date of filing for record appearing on the original or certified certificate so recorded, which shall be taken and held as the date of the recording of the instrument to which it is attached; and copies of records herein authorized to be made, duly certified, shall have the same force and effect as evidence, as certified copies of the original record; and when any of the instruments or records aforesaid shall be presented to the county recorder or other officer, the proper custodian of such records, he shall forthwith record and index the same in accordance with the law for the original recording; and some competent person shall compare such record with the instrument so recorded, and if the same has been correctly recorded, he shall certify on the margin of the page upon which such record has been made the correctness of the same; and such recording officer shall receive compensation for recording any map or plat aforesaid, not exceeding six lines, fifty cents, and for each additional line two cents; and for any recording and indexing aforesaid, other than said map or plat, at the rate of not more than five cents for every hundred words, said compensation to be paid out of the county treasury upon the allowance of the county commissioners; provided, that no bill for services under this section shall be allowed by the county commissioners until they are first duly satisfied that such services have been rendered and the

Fees for, and how paid.

charges therefor are not in excess of the rates herein provided.

Sales by order of courts, records of, how restored.

Section 907*a*. That in all cases where real estate has been sold by a sheriff, executor, administrator, guardian, assignee, receiver, trustee, master commissioner, special master commissioner, or other person appointed or authorized by the court, and the record of the action in which such sale has been made, is lost or destroyed by fire, riot, or civil commotion, the deed of such property made by said sheriff, executor, administrator, guardian, assignee, receiver, trustee, master commissioner, special master, or other person appointed or authorized by the court, shall be *prima facie* evidence of the legality and regularity of such sale, and of the correctness of the proceedings in the action or proceeding wherein said property has been sold; but the deeds made by the auditor of any county of lands sold at delinquent or forfeited tax sales shall not be *prima facie* evidence of title in the purchase of such lands, and no presumption shall be indulged in favor of such tax deeds or sales when the records of the sale and the proceedings upon which the sale was based have been lost or destroyed by fire, riot, or civil commotion.

Auditor's deeds not prima facie evidence of ownership.

Liens, mortgages, etc., how restored.

Section 907*b*. That whenever the record and entry of any judgment or the record of any mechanic's lien, mortgage, or other incumbrance or lien upon property is lost, or destroyed by fire, riot or civil commotion, and the original documents or instruments or certified copies thereof cannot be found, the judgment creditor or his assignee and the person holding or entitled to the said mechanic's lien, mortgage, or other incumbrance, or lien on property, may as to such judgments begin a proceeding in the court wherein the same was rendered, and as to mortgages, mechanic's liens, or other incumbrances or liens, begin a proceeding in any court having jurisdiction over such property to have established the fact of the existence prior to such destruction of the record of such judgment, mortgage, mechanic's lien, or other incumbrance or lien and the substance and effect thereof; such proceeding to be instituted and continued in accordance with the provisions of section 5339*b*, and the decree rendered in any such case shall be recorded in the records of the same office in which the original judgment, mortgage, mechanic's lien or other incumbrance or lien was recorded or entered; provided, however, that no judgment, mortgage, mechanic's lien, or other incumbrance upon property, the record whereof has been lost or destroyed as aforesaid, shall continue to be a lien upon such property, or to affect the title thereto as against any purchaser for value or subsequent lienholder, unless the action or proceeding to establish the existence of such record prior to the destruction thereof as aforesaid shall be begun within six months from the passage of this act, nor shall any judgment, the record whereof has been destroyed as aforesaid, be held binding and in force against the judgment debtor or be executed unless the action or proceeding to establish the existence of such judgment prior to the

Decrees of court to be recorded.

destruction of the record thereof, shall be begun within five years from the passage of this act.

Titles to real estate, how restored.

Section 907*c*. That whenever the record of any deed or other instrument conveying the title to real estate which is authorized or required by law to be recorded, or any will and the probate thereof, is lost or destroyed by fire, riot or civil commotion, and the original of such deed or will and the probate thereof, or other instrument, or a certified copy thereof, cannot be found, any person claiming title to such real estate or any interest under said will, may bring an action in any court of common pleas of the county where the loss occurred to establish the fact of the existence, contents and record of such deed, will and probate thereof, or other instrument prior to such loss or destruction, and the decree in the case shall be entered in the office where the original record existed. Any person having or claiming an interest in said real estate or being in possession thereof, as well as the parties to the said lost deed or other instrument or their privies, and all persons interested under said will may be made parties defendant in such suit; and service of summons shall be made in the same manner as in other suits concerning real estate.

Who to be made parties defendant.

Costs, how paid.

Section 907*d*. The costs of the proceedings mentioned in sections 907*b* and 907*c* shall be the same as are provided by law for the like services in civil cases, and shall be paid out of the county treasury on the order of the court.

Road records, how restored.

Section 4935*a*. Whenever an application shall be filed in the court of common pleas of any county by the commissioners thereof showing that the records of any specified road or roads of said county were lost or destroyed by fire, riot, or civil commotion, and that copies thereof or of some of them are in existence, and praying that the verity of such copies as may be produced shall be ascertained and declared by the court, said court shall require notice to be given by publication for six weeks upon such days, not less than once a week, and in such newspapers as said court shall direct, of the filing and prayer of said application, and that the same will stand for hearing upon some day fixed by the court, and requiring all persons interested to appear on said day and show cause, if any they have, why said application should not be granted, and shall also cause a copy of said publication to be served at each house which is occupied on the premises abutting on said road or roads upon any person dwelling therein, and upon the owner of each lot or tract of land abutting on said road or roads, or his agent, if the same be found in said county, at least one week before the day fixed for such hearing. Upon the day fixed for said hearing, and upon such days thereafter as said court by entry on its journal may direct, said court shall proceed to hear and determine whether the papers produced before it or any of them, are accurate or substantial copies of said records fairly and honestly made, in considering which it shall hear any evidence which in its judgment throws light upon the question without regard to the ordinary rules of evidence;

Publication and notice of.

and if, and as often as, said court shall find any of said papers to be accurate or substantial copies of such records, it shall so enter upon its journal and direct transcripts of such copies to be made by such persons as it may select. As often as any of said transcripts shall be completed to the satisfaction of the court, an entry of that fact shall be made upon its journal, and thereupon the clerk shall certify upon such transcripts that they have been approved by the court, and shall deliver them to the commissioners of said county, and thereafter said transcripts so certified shall *prima facie* have the same force and effect as the originals from which said copies were made. The costs of making said transcripts shall be fixed and allowed by the court; other costs under this and the following sections shall be the same as now fixed by law for similar services, and all costs for restoring such lost road records shall be paid by the county, except as hereinafter provided.

Costs of, how paid.

Section 4935*b*. Upon its appearing to the court at any time after the filing of said application and before the final determination thereof that any person has in his possession or under his control papers purporting to be copies of said record, or the originals from which the same were made and refuses to produce the same to the court, the said court shall issue a rule requiring such person to show cause why he does not produce such papers and enforce the same by proceedings for contempt as in other cases, and in case the production of such papers is ordered by the court, the party ordered to produce the same shall pay all the costs under this section.

Proceeding when copies of records, etc., are in existence.

Section 4935*c*. As to all county roads whose records have been lost or destroyed as aforesaid, and are not reproduced under the foregoing sections, *prima facie* the center of the road as now fenced shall be taken as the true center, and *prima facie* the width of the said road shall be sixty feet.

County roads.

Section 7092*a*. Whoever falsely makes, alters, forges, or counterfeits the record of any proceeding, judgment, decree, entry, or any part of the record of any judicial proceeding required by law to be made in any action or other proceeding of any court in this state, or any certified copy of such record or any part thereof, or any pleading, process, return, report, minute or docket entry or other authentic matter in any court in this state, or any writing by law made evidence for the purpose of restoring a lost or destroyed record, or any person who offers in evidence as true or genuine any such false, altered, forged, or counterfeited matter knowing the same to be altered, false, forged, or counterfeited, is guilty of forgery, and upon conviction thereof shall be imprisoned in the penitentiary not more than twenty years nor less than one year.

Penalty for altering, forging or counterfeiting record.

SEC. 2. Remedies and rules of evidence provided by this act shall be cumulative to those already provided by law. There shall be no appeal or proceeding in error from the

Remedies, etc., cumulative.

order of any court in relation to the restoration of any lost or destroyed record, document, or other writing.

SEC. 3. Said original section 5084, and section 907, as amended April 2, 1880 (77 O. L. 113) are hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 148.]

AN ACT

To amend sections 4553, 4554, 4555, and to repeal section 4558 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections forty-five hundred and fifty-three, forty-five hundred and fifty-four and forty-five hundred and fifty-five of the revised statutes of Ohio be amended so as to read as follows:

Proceedings to clean out or repair ditch.

Section 4553. Whenever it becomes necessary to clean out any ditch, any resident owner of any lot or tract of land which was assessed for its construction, may make a statement in writing of such necessity to the trustees, who shall thereupon meet and appoint one of their number to examine said ditch, who shall go upon the line thereof and make such examination and estimate of the amount of labor and money required therefor, and fix the portion thereof that the owner or owners of each lot or tract of land, and each corporation assessed for the construction of said ditch should be assessed for such cleaning out, and such assessment shall be made according to the benefits to accrue to each landowner interested, as near as practicable, unless the necessity for such cleaning out arose from the act or neglect of any landowner or corporation, in which case such act or neglect shall be considered. [72 v. 20, § 27; 63 v. 38, § 1].

Proceedings on return of estimate.

Section 4554. Such trustee shall return his estimate and assessment with such facts as may be necessary to a full understanding of the case, to the township clerk, in writing, within ten days, who, upon receipt of such report, shall cause the same to be entered in full upon the township record, and shall fix a time for hearing the claim or claims of those interested, and shall further order the township clerk forthwith to notify the owner or owners of each tract of land, or his agent, so far as their residence may be known to said clerk, which notice shall contain a written or printed copy of the report and estimate of such trustee. At the time fixed for hearing the parties interested in such proposed

cleaning out, the trustees may make such changes therein as they may deem just and equitable. After such hearing they shall make a final order, which shall be entered upon their record, specifying the assessment upon each tract or parcel of land interested in such proposed improvement, and the extent to which said ditch shall be cleaned out, and they shall cause the township clerk to forthwith notify the owner or owners of each tract of land, or his or their agent or agents, so far as their residence is known to the clerk, to clean out such ditch to its original capacity within thirty days, unless for good cause shown the trustees may extend the time; but in case the residence of the owner or owners of any such tract of land, or his agent, is unknown to the clerk, he shall cause to be posted up in at least three of the most public places in the township or townships in which said ditch is located, written or printed notices of the time fixed for cleaning out such ditch. [72 v. 20, § 27.]

Landowner to keep ditch clear of obstructions; how duty enforced.

Section 4555. Every person or corporation through whose lands any ditch improvement is constructed, shall be required to keep the same open, free and clear of all obstructions upon his or its premises, and in case of failure so to do, shall be liable to pay all reasonable expenses of removing such obstructions; a person or corporation aggrieved by any such obstruction may make a sworn statement of the facts to the township trustees, who shall at once appoint one of their number to examine the premises, and inquire into the truth of the statement, who shall proceed without delay to do the same, and if he find the statement to be true, he shall immediately notify the owner of the land upon which such obstruction exists to remove the same within a reasonable time, not exceeding twenty days; and if the owner so notified fails to remove the obstruction, the trustee appointed to make the examination shall at once cause the same to be removed at the expense of such owner or owners, and certify such expense to the auditor, who shall place the same, together with all fees and other expenses in the case, on the duplicate, as an assessment upon the lands of such person or corporation, and the same shall be a lien upon such lands, and shall be collected as other taxes.

SEC. 2. That said sections 4553, 4554, 4555 and 4558 of the revised statutes of Ohio be and the same are hereby repealed.

SEC. 3. This act to take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 262.]

AN ACT

To provide for the organization of circuit courts, and adapt existing legislation thereto.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following sections of the revised statutes of Ohio, to wit: Four hundred and forty-seven, four hundred and forty-eight, four hundred and forty-nine, four hundred and fifty, four hundred and fifty-one, four hundred and fifty-two, four hundred and fifty-three, four hundred and fifty-four, five hundred and fifty-seven, and three thousand and five, be supplemented as follows:

Section 447*a*. The state shall be divided into seven circuits, of which the counties of Hamilton, Clermont, Butler, Warren and Clinton, shall constitute the first circuit.

Judicial circuits, how comprised.

The counties of Preble, Darke, Shelby, Miami, Montgomery, Champaign, Clarke, Greene, Fayette, Madison and Franklin, shall constitute the second circuit.

The counties of Mercer, Van Wert, Paulding, Defiance, Williams, Fulton, Henry, Putnam, Allen, Auglaize, Wood, Hancock, Hardin, Logan, Union, Seneca, Marion, Wyandot and Crawford, shall constitute the third circuit.

The counties of Brown, Adams, Highland, Pickaway, Ross, Pike, Scioto, Lawrence, Gallia, Jackson, Meigs, Vinton, Hocking, Athens, Washington and Monroe, shall constitute the fourth circuit.

The counties of Morrow, Richland, Ashland, Knox, Licking, Fairfield, Perry, Morgan, Muskingum, Coshocton, Holmes, Wayne, Stark, Tuscarawas and Delaware, shall constitute the fifth circuit.

The counties of Lucas, Ottawa, Sandusky, Erie, Huron, Lorain, Medina, Summit and Cuyahoga, shall constitute the sixth circuit.

The counties of Lake, Ashtabula, Geauga, Trumbull, Portage, Mahoning, Columbiana, Carroll, Jefferson, Harrison, Guernsey, Belmont and Noble, shall constitute the seventh circuit.

Circuit court.

Section 447*b*. The circuit court shall be held by three judges, a majority of whom, competent to sit, shall be necessary to pronounce a decision, or enter an order, judgment or decree. Such court shall be known as the circuit court of ——— county; and all process issued therefrom shall be entitled: "The state of Ohio, circuit court of ——— county" (in each case insert name of proper county).

Election of judges.

Section 447*c*. The first election for circuit judges shall be held on the second Tuesday of October, 1884; at which time three judges shall be elected in each circuit, by the qualified electors thereof; and said election shall be held and returned in all respects as provided for the election of common pleas judges; and the returns thereof shall be certified to the secretary of state, and shall be canvassed and commissions be issued as provided by law in the case of common pleas judges.

Terms of, decided by lot.

Section 447*d*. Immediately after the result of the first election for circuit judges shall be ascertained, the governor and secretary of state shall determine by lot the terms of such judges so elected in each circuit, so that one shall hold office for two years, one for four years and one for six years, from the ninth day of February, 1885; and every two years thereafter, at the election for state and county officers, one circuit judge shall be elected in each circuit for the term of six years; and the circuit judges so elected at the first election shall qualify on the ninth day of February, 1885, and each circuit judge shall receive for his services an annual salary of four thousand dollars, payable quarterly, out of the state treasury upon the proper warrant of the auditor of state, which shall not be increased or diminished during his term of office; and he shall receive no fees or perquisites nor hold any other office of trust or profit under the authority of this state or of the United States. All votes for any such judge for any elective office, except a judicial office, under the authority of the state given by the general assembly or the people, shall be void.

Salary of.

Seal.

Section 447*e*. That the seal of the circuit court shall be of the dimensions of the seals of the court of common pleas, surrounded by the words, "The circuit court of Ohio, ——— county" (in each case insert the name of the proper county), and shall be procured and furnished by the secretary of state as the same may be from time to time necessary; and the expense thereof shall be paid out of appropriations for stationery.

Jurisdiction of.

Section 448*a*. The circuit court, in addition to the original jurisdiction conferred upon it by article four, section six of the constitution, may, on good cause shown, issue writs of *supersedeas* in any case, and all other writs not specially provided for, nor prohibited by statute, when they are necessary for the exercise of its jurisdiction in the due administration of justice.

Absence of judges.

Section 449*a*. If the judges of the circuit court are not in attendance on the first day of any prescribed term, the clerk shall enter such fact on record, and thereupon the sheriff shall declare such court adjourned till the succeeding day, and in like manner from day to day for three days, and if the court is not opened within three days, all matters pending therein shall stand continued until the next term, and no cation or matter shall abate or be discontinued therehy.

When action may be transferred to another county.

Section 449*b*. When from any cause the circuit court shall fail to be held in any county, at the time prescribed by law, the court may take cognizance of any action pending therein, if the parties agree, in any other county of the circuit, as is usual in cases taken under advisement, and certify its action back to the proper county for entry and record, and two terms of the circuit court shall be held in each county in each year.

Failure to hold term in county.

Section 450*a*. If from any cause there is a failure to hold a prescribed term of the circuit court in any county, the circuit judges of such county shall, if the business of such

county require it, appoint and hold a term therein, at as early a period as is practicable; thirty days' previous notice of the holding of such special term shall be given by publication in one or more newspapers having a general circulation in said county, which notice shall be given and certified by the clerk of the court of such county.

Presiding judge.

Section 451*b*. The circuit judge of each circuit having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, shall be the presiding judge of such circuit, and as such shall preside at all terms of the circuit court of such circuit, and in case of his absence, the judge having in like manner the next shortest term to serve shall preside in his stead. And the circuit court may make and publish rules of practice in their respective circuits, as they may deem expedient, not in conflict with law or the rules of the supreme court.

Court to make rules of practice.

Cases, how disposed of.

Section 452*a*. All cases brought in or taken to the circuit court shall be entered on the docket in the order in which they are commenced, received or filed, and they shall be taken up and disposed of in the same order; but cases where persons seeking relief are imprisoned or have been convicted of a felony; cases involving the validity of any tax levy or assessment made; cases involving the constitutionality of a statute; cases involving public right and proceedings in *quo warranto*, *mandamus*, *procedendo*, or *habeas corpus*, may be taken up in advance of their assignment or order on the docket. And where a case is dismissed or otherwise disposed of by the court and again comes into court, it shall be taken up as if it had not been taken from the docket.

May continue term.

Section 453*a*. The circuit court may, when the business requires it, continue a term in any county beyond the time allowed for such county.

When judge not qualified to sit.

Section 454*a*. When a circuit judge is interested in any cause or matter pending in the circuit court of any county of his circuit, or is related to either or any party to such cause, or has in a lower court sat in the same cause, or proceeding, or is otherwise disqualified to sit in such cause or matter, he shall be transferred for the time being by the court to another circuit in exchange for a circuit judge who is qualified to sit in the trial or hearing of such cause or matter.

Judges to fix time of commencement of terms.

Section 454*b*. The circuit judges of each circuit shall annually, on or before the first day of October, issue their written order to the clerk of the circuit court in each county of their respective circuits, fixing the time of the commencement of each term of the circuit court in each county in such circuit for the next year, and any order so made may be changed or amended by an amendatory or supplemental order issued to such clerks by said judges, and the circuit courts shall be held for the year covered by such order or orders at the time fixed therein. And the clerk of the circuit court on receipt of any such order or orders shall immediately enter the same upon the journals of the circuit court, and such entries shall be sufficient evidence as to the legal terms for holding the courts as therein ordered, and

Duties of clerks.

such clerk shall cause a certified copy of such order or orders to be published in one or more newspapers of general circulation in such county once a week, on the same day of the week, for three consecutive weeks. Provided, that the circuit judges elected at the first election shall meet on the tenth day of February, 1885, and fix the terms of the circuit court in the several counties of their respective circuits in manner as aforesaid, for the year 1885. Proviso.

Section 454*c*. The chief justice of the supreme court may, whenever satisfied that the business of any circuit requires it, direct any circuit judge to hold court in a circuit other than the one in which such judge resides.

Section 454*d*. Any party to an action or proceeding pending in the district court on the ninth day of February, 1885, who, in such action or proceeding, shall have given bond, undertaking, or recognizance, conditioned upon the judgment, order, or decree of the district court, shall, within thirty days thereafter, give an additional bond, undertaking, or recognizance, according to law, so as to make the same conditioned upon the judgment, order, or decree of the circuit court, instead of the district court. On failure to give such bond, undertaking, or recognizance, as required, upon motion filed and notice given, the circuit court may proceed in such action or proceeding as if no bond, undertaking, or recognizance had ever been given. Party in action to give additional bond.

Section 454*e*. In all instances where the provisions of a statute apply in terms to a district court or judge and the officers thereof, they shall, if in their nature applicable, apply under the circumstances to a circuit court and the judges and the officers thereof; and in all instances where the provisions of a statute confer certain powers or impose certain duties upon a common pleas judge, to have been exercised or performed in his previous capacity of district court judge, like powers and duties are conferred and imposed upon a circuit court judge, to be exercised and performed under the circumstances. Powers and duties conferred upon circuit court.

Section 454*f*. Process issuing out of the circuit court shall be directed to the sheriff or other proper officer of the county where the same is to be executed, who shall serve and return the same according to the command thereof; and he shall receive the same fees therefor as such officers are entitled to for like services on process issued by the court of common pleas. Issuing of process.

Section 557*a*. In case any judge of the supreme court removes his residence out of this state, or any circuit judge out of his circuit, or any judge of the court of common pleas out of his sub-division, or any judge of a superior court out of his county, he shall be considered as having resigned and vacated his office, whereupon such vacancy shall be filled according to law. Judgeship vacated by removal.

Section 3005*a*. Any elector may contest the election of any state officer or judge of the supreme court; any elector of the circuit may contest the election of a circuit judge; any elector of the sub-division may contest the election of a Elector may contest.

judge of the court of common pleas, and any elector of a city or county may contest the election of any judge of the superior court of such city or county by serving the like notice in the manner and within the time prescribed in section two thousand nine hundred and ninety-seven, and filing a copy thereof with the clerk of the senate on or before the tenth day of the first session of the general assembly next after the election.

SEC. 2. *Be it further enacted*, that this act shall take effect on the first day of June, 1884, and be in force on and after said day.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 239.]

AN ACT

Making an appropriation to pay certain sums to a portion of the Ohio national guard.

WHEREAS, That in accordance with the provisions of the revised statutes of Ohio, the governor, any mayor, sheriff, or judge, may call out the Ohio national guard, when in their opinion it is necessary to do so for the purpose of preventing or suppressing riot or insurrection, and when so called the law is imperative, and the members cannot refuse to serve, no matter what their condition in life; and

WHEREAS, The proper officers did call out several of the regiments thereof, to suppress a riot at the city of Cincinnati, and several of the officers and members so called were either wounded or prostrated by sickness, who are pecuniarily unable to bear the loss of time or money to which they will be necessarily subjected; therefore,

National guard, per diem for wounded or sick.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the officers and members of the Ohio national guard, who were either wounded or prostrated by sickness while they were in the service of the state, for the purpose of preventing or suppressing a riot at the city of Cincinnati, Ohio, during the latter part of March and first part of April, 1884, shall receive the same per diem and in the same manner as is provided for in amended section three thousand and eighty-one, as amended April 19, 1881, for the period of one hundred and twenty days, from the beginning of their service under the call, and the same shall be paid tri-weekly out of the state treasury, on the order of the governor and on the warrant of the auditor, after a certificate from some reputable physician has been presented, stating that the

applicant is unable to perform manual labor by reason of wounds received or sickness contracted whilst in said service.

SEC. 2. For the purpose of carrying out the provisions of the preceding sections, there is hereby appropriated out of any funds in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of five thousand dollars.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 220.]

AN ACT

To authorize city councils of cities of the first grade, second class, to issue bonds for sewer purposes.

[COLUMBUS.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the first grade of the second class, wherein main trunk sewers have been constructed and completed within one year prior to the passage of this act, for the purpose of paying for the cost and expense of the construction of such sewers, be and are hereby authorized and empowered to issue the bonds of such city, for any sum not exceeding, in the aggregate, thirteen thousand two hundred and fifty dollars above the amount of bonds heretofore issued by such city for like purposes.

Certain cities may issue sewer bonds.

SEC. 2. Such bonds shall run for such length of time, not exceeding thirty years, and shall bear such rate of interest, not exceeding six per centum per annum; and such interest shall be payable annually, or semi-annually, as such council may determine. Such bonds shall be designated, issued and sold in all respects, in manner as is or may be provided by law for the designation, issuing, and sale of bonds of such municipal corporation, and the proceeds of all sales thereof shall be applied exclusively to the purposes for which they are issued.

Term of, and interest.

SEC. 3. For the purpose of paying the principal and interest of any bonds which may be issued under the authority of this act, as they mature respectively, the city council of such city is hereby authorized and empowered to levy and collect annually such rate and amount of taxes on each dollar of valuation of taxable property in the corporation on the tax duplicate, not to exceed one-tenth of one mill, as the council may determine, additional in rate and amount to the aggregate rate and aggregate amount of all taxes now or hereafter to be authorized by law, to be levied

Council may levy tax to pay.

or ordered by such municipal corporation; so that the maximum rate and amount of such taxes to be levied under the authority of this act for such bonds so hereafter to be issued for such sewer purposes, together with the rate and amount now by other acts authorized to be levied for such bonds, already heretofore issued for such purposes, shall be one mill over and above and additional to the aggregate rate and aggregate amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 487.]

AN ACT

To amend section 3747 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section thirty-seven hundred and forty-seven of the revised statutes of Ohio be amended so as to read as follows:

Alumni may elect trustees and appoint visitors.

Section 3747. After such acceptance by the board of any university or college, the alumni thereof may elect, as member of the board of trustees of such university or college, a class of trustees equal in number to the class of trustees elected by any conference or other religious body represented in such board of trustees, and for like terms, as provided in sections thirty-seven hundred and thirty-seven to thirty-seven hundred and forty, inclusive, and may likewise perpetuate such class of trustees; and they may annually appoint two visitors, who shall have powers and duties the same as visitors appointed by any conference or other religious body aforesaid; but the board shall be the judge of the validity of the elections, and returns thereof of the trustees and visitors elected under the provisions of this section; no alumnus shall be an elector of trustees and visitors until the third regular election therefor after receiving at least one of the degrees in course from such university or college; and every other person who has regularly attended the university or college as a student not less than two years, and has at any time received from its board the degree of master of arts, shall for the purpose of being an elector of trustees and visitors, be deemed and taken as an alumnus.

SEC. 2. That said original section 3747 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Substitute for House Joint Resolution No. 39.]

AN ACT

To authorize the sale of certain land belonging to the state.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor, auditor of state, attorney-general, railroad commissioner, and state librarian, be and they are hereby authorized to have platted and sub-divided into lots, with necessary streets and alleys, and to sell said lots to the highest and best bidder, for one-third cash, one-third in one year, and one-third in two years, to be secured by first mortgage, bearing six per cent. interest, and payable annually, the following described land belonging to the state of Ohio, and situate in the county of Franklin, in said state, to wit: Authorizing sale of certain state lands.

A part of half section number fourteen, in township number five, range twenty-two, beginning at south-west corner of said half section; thence north with the section line thirty-four poles to the state road; thence with the said road easterly forty-nine poles and twelve links; thence south fifty-four poles to the post in the south line of said half section; thence west with the last named line forty-eight poles to the beginning, containing eleven acres and one hundred and twelve poles, more or less; being the same premises conveyed by Albert A. Bliss and wife to the state of Ohio, by deed bearing date February 19, 1852. And all moneys received from the sale of said land shall be paid into the state treasury, to the credit of the general revenue fund, except such sum as may be used to pay the necessary expenses of carrying out the provisions of this act; and in his next annual message, the governor shall lay before the legislature a statement of the cost of such sale, the amount of money received and paid into the treasury, and the name of each purchaser, or purchasers, and the amount paid by each, with the balance due.

SEC. 2. The state officers above named are hereby further authorized to make and impose such other terms, conditions and instructions in and upon any sale of said lots as they may deem beneficial to the state, and they shall determine when such sale or sales of lots shall be made and how many Terms and conditions.

shall be sold at any sale, and whether any shall be sold in groups or not.

Conveyances and mortgages.

SEC. 3. All conveyances for lots sold as aforesaid shall be made as provided in section 4115 of the revised statutes of the state. The notes and mortgages for the deferred payments aforesaid shall be made to the state, and it shall be the duty of the attorney-general to examine and determine the sufficiency of the same, and, when accepted by him as sufficient, they shall be delivered to the treasurer of state, who shall open upon the books of his office an account with said fund, and to him said notes and the interest thereon shall be paid when due, and the proceeds thereof by him placed to the credit of the general revenue fund, as hereinbefore provided. Upon payment of such notes and the interest thereon, the said mortgages shall be released as provided in section 4124 of said revised statutes.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 393.]

AN ACT

Making appropriations to repair the canals of the state of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund the following sums of money for the purposes hereinafter named, to wit: to repair breaches in the banks, locks, aqueducts, culverts and dams on the Ohio canal, seventy-six thousand dollars ($76,000); three thousand dollars of the same, or so much thereof as may be necessary to clear of obstruction the feeder east of the Ohio canal, and enlarge the submerged culvert under the canal in the city of Massillon, Stark county; to repair breaches in the canal banks, locks, aqueducts, culverts, reservoirs and dams in the Miami and Erie canal, eighteen thousand dollars ($18,000); to repair breaches in the canal banks, locks and dams in the Hocking canal, ten thousand dollars ($10,000); to repair embankments, locks and dams on the Muskingum improvement, ten thousand dollars ($10,000); for repairing the banks of and erecting a breakwater on the Walhonding canal at a point about one-half (½) mile west of what is known as the "six mile dam" on the Walhonding river, and at the point where the said river broke into and across said canal, the sum of $6,000. For the repair of the Columbus feeder, five thousand dollars

Repair of canals, appropriations for.

($5,000). All of the said several sums of money shall be expended under the care and supervision of the board of public works of the state of Ohio.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 454.]

AN ACT

To amend section 2690*c*, section 2690*i*, section 2690*j*, and section 3958 and section 3959 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections twenty-six hundred and ninety (*c*), twenty-six hundred and ninety (*i*), twenty-six hundred and ninety (*j*); section thirty-nine hundred and fifty-eight and section thirty-nine hundred and fifty-nine of the revised statutes of Ohio, as amended April 16, 1883, be and the same are hereby amended to read as follows:

Tax commissioners to approve tax levy except for school purposes.

Section 2690*c*. That no tax shall be levied upon the property of any such city, by the council thereof, or any other authority therein, except by the boards of education in cities of the first grade of the first class, for school and educational purposes, until approved by the board of tax commissioners aforesaid.

Heads of departments to report estimates.

Section 2690*i*. In all cities of the first grade of the first class, to enable the city comptroller and the boards aforesaid to estimate correctly the levies and appropriations aforesaid, the authorities of all the city institutions, except boards of education as well as every head of a department or office in the city, for whose wants provision is to be made, including the trustees of the commercial hospital, shall report to the comptroller, on or before the first Monday in March in each year, the amount of money needed for their respective wants for the ensuing year; said estimate to be given for each month. The comptroller, as well as the boards of tax commissioners and common council, shall revise them, and if deemed proper, shall reduce them so as to prevent unnecessary expenditure, and to bring them within fair limits to the other expenditures required by the city.

Certain liabilities not valid.

Section 2690*j*. No liability whatever shall be created against any city of the first grade of the first class, and no expenditures shall be made for the same, except for school and educational purposes as provided for by the boards of

education therein, unless it be previously covered by an appropriation sanctioned both by the boards of tax commissioners and common council as above provided, except from the contingent fund of fifty thousand dollars herein provided for; and any tax levied for any purpose whatever, except for schools and educational purposes, as provided for by the boards of education therein—in such city without the concurrence of the board of tax commissioners and common council, as herein provided shall be void; and all laws and parts of laws conflicting with the provisions of this act are hereby repealed. Any attempt to create a liability against any such city contrary to the provisions of this act, shall be null and void.

SEC. 2. That section thirty nine hundred and fifty-eight of the revised statutes of Ohio, and section thirty-nine hundred and fifty-nine of said revised statutes, as amended by an act to amend section thirty-nine hundred and fifty-eight and section thirty-nine hundred and fifty-nine, passed April 16, 1883, be amended to read as follows:

Board of education to make estimate for expenses.

Section 3958. Each board of education shall annually, at a regular or special meeting, to be held between the third Monday in April and the first Monday in June, determine by estimate, as nearly as practicable, the entire amount of money necessary to be levied as a contingent fund for the continuance of the school or schools of the district, after the state funds are exhausted, to purchase sites for school-houses, to erect, purchase, lease, repair and furnish school-houses, and build additions thereto, and for other school expenses.

Maximum of levy.

Section 3959. Such estimate and levy shall not exceed, in cities of the first grade of the first class, three and one-fourth mills; provided, however, that the boards of education in said cities may levy one mill additional for every five thousand pupils over and above twenty-five thousand enrolled in the public schools of said cities, which levy, however, shall in no case exceed four mills; and in cities of the second grade, first class, five mills; and in all other districts, seven mills on each dollar of valuation of taxable property.

SEC. 3. That said section 2690*c*, section 2690*i*, section 2690*j*, section 3958 and section 3959 of the revised statutes of Ohio, as enacted and amended April 16, 1883, be and the same are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 215.]

AN ACT

To authorize insurance companies to re-insure their risks.

Companies may re-insure their risks.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any fire, marine, fidelity, accident, plate glass, boiler, or other insurance company, now or hereafter organized or existing, under or by virtue of the laws of Ohio, shall have authority, by and with the consent and approval of the commissioner of insurance, to re-insure any and all risks undertaken by it, in any company authorized by law to transact a similar class of insurance business in this state.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 155.]

AN ACT

Relating to the posting of court calendars and legal notices in certain counties.

Court calendars to be published in daily law journal.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all counties in this state, containing a city of the first grade of the first class, the judges of the court of common pleas, probate court and superior court, shall jointly designate a daily law journal, published in said county, wherein shall be published all calendars of the courts of record in said county, which calendars shall contain the numbers and titles of causes and names of attorneys appearing therein, together with the motion dockets, and also such particulars and notices respecting causes, as may be specified by said judges, and every notice required to be published by any of said judges. And in all cases, proceedings, administration of estates, assignments and matters pending in any of the courts of record in said county, wherein legal advertisements are required to be published by law, the law journal, designated as above, shall, once a week and on the same day of the week, publish an abstract of every such legal advertisement; provided, however, that the jurisdiction over, or regularity of any proceeding, trial or judgment, shall in no wise be affected by anything herein.

Compensation for publication.

SEC. 2. The publisher of said paper shall receive for the publication of said calendars, motion docket and notices, a

sum to be fixed by said judges, not exceeding thirty-five cents for each case brought, the same to be paid at the time of the filing of the petition or transcripts for appeal or for lien and execution, and to be paid by the party filing such petition or transcripts, and to be taxed in the costs and collected as other costs are; and for the publishing of abstracts of legal advertising, a sum to be fixed by said judges, not exceeding one dollar for each case, proceeding or matter, in which such advertising is had, to be taxed and collected as part of the costs thereof.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 17.]

AN ACT

Prescribing the rate of state taxes, and to repeal an act therein named. (O. L., v. 76, p. 42.)

State tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there shall be levied, annually, taxes for state purposes, on each dollar of valuation of taxable property, as follows:

For general revenue.

For general revenue purposes, being the expense of the state, the benevolent, charitable, penal and reformatory institutions, for the payment of such other charges as may be made by law, and for reimbursing to the sinking fund such sums as have been transferred from that fund, one mill and three-tenths of one mill, the same to be styled the "revenue fund."

Sinking fund.

For the payment of interest, and the constitutional reduction of the principal of the public debt of the state, five-tenths of one mill, said fund to be styled the "sinking fund."

Common schools.

For the support of common schools, one mill, said fund to be styled the "state common school fund."

SEC. 2. That the act "prescribing the rates of state taxes, and to repeal an act herein named," passed March 29, 1879 (O. L., v. 76, p. 42), be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 543.]

AN ACT

To prevent the diversion of parks in cities of the first class to other than park uses.

[CINCINNATI.]

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first class having a population of over two hundred thousand inhabitants in which there is public property or real estate, located in the western portion of such cities, which has been or shall be devoted to park purposes under the name of Lincoln park, by ordinance of the city council or other municipal body having power to act, such public property or real estate shall not be in any way diverted from its use for park purposes. Lincoln park.

SEC. 2. All acts, sections, or portions of sections, conflicting herewith, are hereby repealed.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 61.]

AN ACT

To amend sections 3718, 3722, 3725, 6985 and 7118 of the revised statutes of Ohio, and to enact certain supplementary sections.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections thirty-seven hundred and eighteen, thirty-seven hundred and twenty-two, thirty-seven hundred and twenty-five, sixty-nine hundred and eighty-five, and seventy-one hundred and eighteen of the revised statutes of Ohio, be respectively amended, and that sections supplementary thereto, with sectional numberings as herein provided, be enacted, to read as follows:

Section 3718. Such associations may appoint agents for the purpose of prosecuting any person guilty of any act of cruelty to persons or animals within this state, who shall have power to arrest any person found violating any of the provisions of this chapter, or any other law, for the purpose of protecting persons or animals, or preventing any act of cruelty thereto; and, upon making such arrest, such agent shall convey the person so arrested before some court or magistrate having jurisdiction of the offense, within the municipal corporation or county wherein the offense was committed, and there forthwith make complaint, on oath or Societies to prevent cruelty to animals may appoint agents to enforce law.

affirmation, of the offense; but all appointments by such associations under this section must have the approval of the mayor of the city or village in which the association exists, and if it exists outside of any city or village, the appointments must be approved by the probate judge of the county; and the mayor or probate judge shall keep a record of all such appointments.

Who shall have jurisdiction.

Section 3718*a*. Any justice of the peace, police judge or mayor of any city or village shall have jurisdiction to hear any prosecution under the laws for the prevention of cruelty to animals or under section sixty-nine hundred and eighty-four of the revised statutes or section sixty-nine hundred and eighty-four (*a*) thereof as herein enacted.

If such prosecution be before a justice of the peace, and trial by jury be not waived, the said justice shall proceed to empanel a jury of twelve men by writing in a panel the names of twenty-four persons, citizens of the township, from which the accused party shall have the right to strike twelve names; and the remaining twelve shall constitute the jury to try such cause; if the accused party shall neglect or refuse to strike, it shall be the duty of the justice to strike for such party.

If from any cause the panel shall not be full, the constable shall, under the direction of the justice, fill the panel from the bystanders, or, on motion of either party, the said justice shall select the persons to fill the panel, and shall issue a special venire therefor returnable forthwith, provided that the defendant in any such prosecution instituted before a justice of the peace, may, upon demand, in writing, filed with the justice before the waiver at the impaneling of the jury, elect to be tried before any police judge, or mayor having jurisdiction of the offense. Upon such demand being filed, the justice of the peace shall transmit the papers in the case, together with a certified transcript of the proceedings before him and the costs, to the police judge or mayor to whom such change may be granted, who shall proceed therein and have the same jurisdiction, powers, and duties, in all respects as if such prosecution had been instituted before him. The costs before such justice of the peace shall be taxed and collected with the costs before such police judge, or mayor.

Proviso.

Duties of police officer.

Section 3719*a*. When a sheriff, constable, marshal, police officer, or any agent for any duly incorporated society for the prevention of cruelty to animals has reason to believe that any person within his jurisdiction is about to violate the provisions of section sixty-nine hundred and fifty-two of the revised statutes, he shall forthwith arrest such person, and take him before a magistrate named in section seventy-one hundred and six; upon the proper affidavit being filed, such officer shall hear the witnesses produced, on oath, and if he find the complaint true, order the accused to enter into a recognizance, with sufficient sureties, in a sum not less than one hundred dollars nor more than five hundred dollars, that

he will not violate the provisions of said section sixty-nine hundred and fifty-two within one year thereafter, within this state, and in default of such recognizance the officer shall commit the accused to jail, there to remain until such order is complied with, or he is otherwise discharged by due course of law, or until he shall make and subscribe an oath, in the presence of two witnesses, that he will not violate the provisions of said section six thousand nine hundred and fifty-two of the revised statutes of Ohio, nor aid or abet in so doing, within said year. Upon conviction of such person for a subsequent violation of the provisions of said section within said year, he shall be fined not less than twenty-five dollars ($25), nor more than five hundred dollars ($500), or imprisoned not less than thirty days nor more than ninety days, or both, in the discretion of the court. **Penalty.**

Section 3722. A member of any such association may require the sheriff of any county, the constable of any township, the marshal or policemen of any city or village, or the agent of any such association, to arrest any person found violating the laws in relation to cruelty to persons or animals, and to take possession of any animal cruelly treated, in their respective counties, cities, or villages, and deliver the same to the proper officers of such associations; and for such service, and for all services rendered in carrying out the provisions of this chapter, such officers, and the officers and agents of the association, shall be allowed and paid such fees as they are allowed for like services in other cases, which shall be charged as costs, and reimbursed to the association by the person convicted. **Member may require police officer to act.**

Section 3725. Whenever it may be necessary, in order to protect any animal from neglect, any person may take possession of the same; and whenever an animal is impounded, yarded, or confined, and continues without necessary food, water, or proper attention for more than fifteen successive hours, any person may, from time to time, and as often as it may be necessary, enter into and upon any place in which such animal is so impounded, yarded, or confined, and supply it with necessary food or water, and attention, so long as it there remains, or may, if necessary or convenient, remove such animal, and shall not be liable to any action for such entry; in all cases the owner or custodian of such animal, if known, shall be immediately notified of such action by the person taking possession of such animal; if the owner or custodian be unknown and cannot be ascertained with reasonable effort, such animal shall be held to be an estray, and shall be dealt with as such; the necessary expense for food and attention given to any animal under the provisions of this section, may be collected of the owner of such animal, and the animal shall not be exempt from levy and sale upon execution issued upon a judgment therefor. **Any person may protect an animal from neglect.**

Section 3725*a*. Any sheriff, constable, marshal, policeman, or agent of any society for the prevention of cruelty to ani-

Animal may be ordered killed.

mals, may kill, or cause to be killed any animal found neglected, or abandoned and which, in the opinion of three reputable citizens, is injured or diseased, past recovery, or by age has become useless.

Penalty for torturing or neglecting child.

Section 6984*a*. Whoever tortures, torments, cruelly or unlawfully punishes, or willfully, unlawfully and negligently deprives of necessary food, clothing, or shelter, any person, and whoever having the control of, or being the parent or guardian of any child or children under the age of sixteen years, and having the ability or means to support such child or children, neglect so to do, or willfully abandons such child or children, shall be fined not more than two hundred dollars ($200), nor less than five dollars ($5), or imprisoned not more than six months, or both.

When provisions do not apply.

Section 6985. Nothing contained in section sixty-nine hundred and eighty-four shall apply to or affect the employment or use of any such child as a singer or musician in any church, school, or academy, or at any concert or entertainment given for charitable purposes, or in learning the science or practice of music; all fines collected under the laws for the prevention of cruelty to animals, or under sections sixty-nine hundred and eighty-four or sixty-nine hundred and eighty-six of the revised statutes, or under section sixty-nine hundred and eighty-four (*a*) as herein enacted, shall be paid to any duly incorporated society for the prevention of cruelty to animals, but any such society instituting any such prosecution shall be entitled to receive all fines collected from such prosecution.

Recognizance to be certified to common pleas.

Section 7118. Every such recognizance, and every recognizance taken under section thirty-seven hundred and nineteen (*a*) as herein enacted, shall be, by such judge or magistrate, certified to the court of common pleas of the county, where the same shall be recorded; and the prosecuting attorney, when he has reason to believe that the condition of the same has been b oken, shall immediately bring suit thereon, in any county, and collect the amount due thereon, and pay the same into the county treasury.

SEC. 2. The said original sections 3718, 3722, 3725, 6985, and 7118 be and they are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 153.]

AN ACT

To amend sections 3686 and 3687 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections three thousand six hundred and eighty-six and three thousand six hundred and eighty-seven be amended so as to read as follows:

Mutual protection associations.

Section 3686. Any number of persons of lawful age, residents of this state, not less than ten in number, may associate themselves together for the purpose of insuring each other against loss by fire; and any number of persons, not less than five, may associate in like manner to insure themselves against loss from death of domestic animals, and may make, assess and collect upon and from each other such sums of money, from time to time, as may be necessary to pay losses which occur by fire or death of domestic animals, to any member of such association; and the assessment and collection of such sums of money shall be regulated by the constitution and by-laws of the association.

Certificate of organization.

Section 3687. Such persons shall make and subscribe a certificate, setting forth therein:

1. The name by which the association shall be known.
2. The place which shall be regarded as its center or business office.
3. The object of the association, which shall only be to enable its members to insure each other against loss by fire, death of domestic animals and other casualties, and to enforce any contract which may be by them entered into, by which those entering therein shall agree to be assessed specifically for incidental purposes and for the payment of losses which occur to its members.

SEC. 2. The said original sections 3686 and 3687 be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 494.]

AN ACT

To authorize any city of the second grade of the first class to issue bonds for the purchase of market grounds, and for the erection of market buildings.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That any city of the second grade of the first class is

Bonds may issue for market purposes.

hereby authorized to issue bonds, not exceeding five hundred thousand dollars ($500,000) in amount, to raise money to pay the cost of purchasing grounds for market purposes, and of erecting market buildings thereon.

Term of, and interest.

SEC. 2. That said bonds shall be issued to mature within twenty years from date thereof, and to bear interest not exceeding six per cent. per annum, payable semi-annually.

Sinking fund authorized to pay.

SEC. 3. That the council of any such city is hereby authorized to establish a market sinking-fund, to be invested and managed as the city council may by ordinance provide, to the credit of which the surplus income of all the city markets shall be placed, to be used with the earnings of said market sinking-fund, to pay the maturing principal and interest of the bonds authorized by this act.

SEC. 4. That an act passed April 6, 1878, entitled "an act to authorize the council of the city of Cleveland to transfer funds," is hereby repealed, to take effect upon the issue of any of the bonds authorized by this act.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 232.]

AN ACT

To amend sections 5 and 7 of the act entitled "an act relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government and release of such convicts by the board of managers," passed March 18, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections five and seven of the act entitled "an act relating to the imprisonment of convicts in the Ohio penitentiary, and the employment, government and release of such convicts by the board of managers," passed March 18, 1884, be amended so as to read as follows:

Court may give general sentence to penitentiary.

Section 5. Every sentence to the penitentiary of a person hereafter convicted of a felony, except for murder in the second degree, who has not previously been convicted of a felony and served a term in a penal institution, may be, if the court having said case thinks it right and proper, a general sentence of imprisonment in the penitentiary. The term of such imprisonment of any person so convicted and sentenced may be terminated by the board of managers, as authorized by this act; but such imprisonment shall not exceed the maximum term provided by law for the crime of which the prisoner was convicted and sentenced; and no

such prisoner shall be released until after he shall have served at least the minimum term provided by law for the crime of which he was convicted.

Rules for treatment of prisoners.

Section 7. The board of managers shall, subject to the approval of the governor, make such rules and regulations for the government of the prisoners as shall best promote their reformation, and, generally, as may from time to time appear to be necessary or promotive of the purposes of this act. They shall make provision for the separation or classification of prisoners, their division into different grades, with promotion and degradation according to merit, their employment and instruction in industry, their education, and for the conditional or absolute release of prisoners sentenced to imprisonment under section five of this act, and their arrest and return to custody within the institution; but in no case shall any such prisoner be released, either conditionally or absolutely, unless there is, in the judgment of the managers, reasonable ground to believe that he will, if released, live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society; and no petition or other form of application for the release of any prisoner shall be entertained by the managers. In order that good behavior may be properly rewarded, the board shall provide, in its rules and regulations, for a correct daily record of the conduct of each prisoner, and his fidelity and diligence in the performance of his work. A convict who shall pass the entire period of his imprisonment without a violation of the rules and discipline, except such as the board shall excuse, shall, upon his absolute release or discharge, be restored to the rights and privileges forfeited by his conviction, and he shall receive from the governor a certificate, under the great seal of the state, as evidence of such restoration, to be issued upon presentation to the governor of a certificate of such conduct, which shall be furnished to such convict by the warden. A convict who is not thus entitled to a restoration of the rights and privileges forfeited by his conviction, who has conducted himself in an exemplary manner for a continuous period of not less than twelve consecutive months succeeding his absolute release or discharge, and presents to the governor a certificate of that fact, signed by ten or more good and well known citizens of the place where he has resided during such period, certified to be such by the probate judge of the county wherein they reside, and whose signatures are certified by such judge to be genuine, shall be entitled, in consideration thereof, to a restoration of the rights and privileges forfeited by his conviction, which restoration shall be evidenced by a certificate of the governor, under the great seal of the state. Each convict who is sentenced for a definite term, other than for life, shall be entitled to diminish the period of his sentence under the following rules and regulations:

Daily record of behavior to be kept.

Legal rights restored by good conduct.

Period of sentence diminished.

1. (*a*) For each month, commencing on the first day of his arrival at the penitentiary, during which he has not been

guilty of a violation of discipline, or of any of the rules of the prison, and has labored with diligence and fidelity, he shall be allowed a deduction of five days from the period of his sentence.

(*b*) After he has passed one full year of his sentence, in which he has not been guilty of a violation of discipline, or any of the rules of the prison, and has labored with diligence and fidelity, the deduction shall be seven days from the period of his sentence, for each month.

(*c*) After he has passed two full years of his sentence as above provided, the deduction from his term shall be nine days for each month.

(*d*) After he has passed three full years of his sentence, as above provided, the deduction from his term shall be ten days for each month.

To forfeit time by violation of rules.

2. For a violation of the rules and discipline, or for a want of fidelity and care in the performance of work, he shall not only forfeit all time gained for the month in which the delinquency occurs, but, according to the aggravated nature or the frequency of his offenses, the board may deduct a portion or all of his time previously gained, but the board may review the conduct record of a convict, and, if it appear that any violation of the rules and discipline was committed through ignorance, or circumstances beyond his control, or abuse by any officer, may restore him to the standing he possessed before such violation.

Sick person entitled to all benefits.

3. If a convict be prevented from laboring, by sickness or other infirmity not intentionally produced by himself, or by other cause for which he is not responsible, he shall be entitled, by good conduct, to the same deduction from his sentence, each month, as above provided for; and the board may, in its discretion, allow him a sum of money sufficient to defray all his necessary expenses to the county where he was convicted.

SEC. 2. That said original sections 5 and 7 of said above entitled act be and the same are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 473.]

AN ACT

To amend section 1777 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State Ohio,* That section seventeen hundred and seventy-seven

of the revised statutes of Ohio be amended so as to read as follows:

Section 1777. He shall apply, in the name of the corporation, to a court of competent jurisdiction for an order or injunction to restrain the misapplication of funds of the corporation, or the abuse of its corporate powers, or the execution or performance of any contract made in behalf of the corporation in contravention of the laws or ordinance governing the same, or which was procured by fraud or corruption. And he shall likewise, whenever an obligation or contract made on behalf of the corporation granting a right or easement or creating a public duty is being evaded or violated, apply for the forfeiture or specific performance of the same as the nature of the case may require.

City solicitor shall apply for injunction in certain cases.

SEC. 2. Said original section 1777 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 261.]

AN ACT

Making appropriations to pay salary of chief mine inspector, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That there be and is hereby appropriated out of any funds in the state treasury and not otherwise appropriated the following sums, to wit:

Appropriations.

To pay salary of chief mine inspector, ten and one-half months, from April 1st, 1884, to February 15th, 1885, one thousand seven hundred and fifty dollars ($1,750).

For chief mine inspector.

To pay for 300 copies of the St. Clair papers as provided for in Senate Joint Resolution No. 42, one thousand two hundred dollars ($1,200.)

St. Clair papers.

To pay James M. Williams in full for 1850 copies of what is known as the Williams supplement to the revised statutes of Ohio, to be drawn on the order of the secretary of state and the warrant of the auditor, four thousand one hundred and seventy-five dollars ($4,175.)

James M. Williams.

To pay the salary of three district mine inspectors, nine months and a half each, two thousand eight hundred and fifty dollars ($2,850.)

District mine inspectors.

To pay contingent expenses of the three district mine inspectors in addition to the amount heretofore appropriated, six hundred dollars ($600.)

The amount heretofore appropriated for contingent expenses for state mine inspector and assistant inspector, is

hereby made available for contingent expenses of chief mine inspector. The unexpended amount of the appropriation heretofore made to pay salary of state mine inspector, and assistant inspector of mines, is hereby covered back into the treasury.

Militia. To pay Company C, 16th Regiment O. N. G., and Toledo Cadets for the services at the execution of Charles Basch at Bowling Green, Ohio, five hundred and seventy-eight and ninety-hundredths dollars ($578\frac{90}{100}$), and said $578\frac{90}{100}$ appropriated for Company C, of the eighth Regiment, is hereby covered back into the treasury.

Covered into treasury. The balance of one hundred thousand dollars heretofore appropriated for the relief of the flood sufferers, and not expended, is hereby covered back into the treasury.

Intermediate penitentiary. To defray expenses of board of managers of the intermediate penitentiary in locating said institution and the necessary expenses to be incurred in procuring plans therefor, to be paid on the order of said board and on the warrant of the auditor of state, five thousand dollars ($5,000.)

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 430.]

AN ACT

To authorize city councils of cities of the first grade of the second class to issue bonds for sewer purposes.

[COLUMBUS.]

Certain cities may issue sewer bonds. SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the first grade of the second class, be and is hereby authorized and empowered, for the purpose of constructing main trunk sewers, to issue from time to time, the bonds of such city for any sum not exceeding in the aggregate twenty thousand dollars above the amount of bonds for like purposes heretofore already issued by such city.

Term of, and interest. SEC. 2. Such bonds shall run for such length of time not exceeding thirty years, and shall bear such rate of interest not exceeding six per centum per annum, and such interest shall be payable annually or semi-annually, as such council may determine. Such bonds shall be designated, issued and sold in all respects in manner as is or may be provided by law for the designation, issuing and sale of bonds of such municipal corporation, and the proceeds of all sales thereof shall be applied exclusively to the purposes for which they are issued.

SEC. 3. For the purpose of paying the principal and interest of any bonds which may be issued under the authority of this act as they mature respectively, the city council of such city is hereby authorized and empowered to levy and collect annually such rate and amount of taxes on each dollar of valuation of taxable property in the corporation on the tax duplicate, not to exceed one-tenth of one mill, as the council may determine, additional in rate and amount to the aggregate rate and aggregate amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation, so that the maximum rate and amount of such taxes to be levied under the authority of this act for such bonds so hereafter to be issued for such sewer purposes, together with the rate and amount now by other acts authorized to be levied for such bonds already heretofore issued, or hereafter to be issued for such purposes, shall be one and one-tenth mills over and above and additional to the aggregate rate and amount of all taxes now or hereafter to be authorized by law to be levied or ordered by such municipal corporation.

Sinking fund, for payment of.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 228.]

AN ACT

Making appropriation to pay the expenses of the trustees of the new asylum for insane, located near Toledo.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated, out of any funds to the credit of the general revenue fund, and not otherwise appropriated, the sum of fifteen hundred dollars, for the purpose of paying the expenses of the trustees thereof, heretofore or hereinafter incurred.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 527.]

AN ACT

Making an appropriation for better heating and ventilating the hall of the House of Representatives.

Heating and ventilating hall of house of representatives.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated out of any money in the treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of five hundred dollars, to be paid out on the requisition of the adjutant-general, for repairs and improvements in the heating and ventilating of the hall of the House of Representatives, provided that any balance that may remain unexpended after the improvements and repairs recommended by the committee under the provisions of House Resolution No. 52, shall have been made, shall be expended in any needed repairs of the heating apparatus of the capitol.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 508.]

AN ACT

Supplementary to an act to regulate the construction, enlargement, changes in, and conduct and management of water-works in certain cities, and to authorize the issue of bonds in connection therewith, passed January 18, 1881 (O. L., v. 78, p. 11), and the act amendatory thereto, passed April 19, 1881 (O. L., v. 78, p. 41), and the act supplementary thereto, passed March 15, 1883 (O. L., v. 80, p. 59).

Certain cities may issue additional water works bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of any city of the second class, third grade, in which water-works have been wholly or partially constructed, and in which a board of trustees has been elected therefor, and in which bonds have heretofore been issued under the authority of the acts above recited, is hereby authorized and empowered to enlarge and extend said works, or to change the plan or plans of construction thereof; and the city council of any such city, for the purpose of any such enlargement, extension, or change, is hereby authorized to issue the bonds of the city not exceeding in the aggregate twenty-five thousand dollars, in addition to the amounts authorized to be issued by the acts to which this act is supplementary.

Term of, and interest.

The bonds herein authorized to be issued may run any length of time, not exceeding thirty years, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, to be issued, signed and sold according to law; the

proceeds thereof to be applied to defray the costs and expenses of the enlargement, extension, or changes of said water-works, and for no other purposes whatever.

The city council of any such city exercising the powers herein conferred shall be subject to all the provisions of the acts to which this act is supplemental, except as otherwise herein provided.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 522.]

AN ACT

Making an appropriation to carry into effect Senate Joint Resolution No. 26, adopted March 15, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the sum of five thousand dollars be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of carrying into effect Senate Joint Resolution number twenty-six, adopted March 15, 1884, providing for the printing of the complete roster of the troops furnished by Ohio in the war with Mexico, and the late rebellion.

Printing roster of Ohio troops.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 413.]

AN ACT

To amend section 1001 of the revised statutes, as amended March 26, 1880. (77 O. L., 87.)

[HAMILTON COUNTY.]

SECTION 1. *Be it enacted by the General Assembly of the State of of Ohio*, That section one thousand and one of the revised

statutes of Ohio, as amended March 26, 1880 (77 O. L. 87), be so amended as to read as follows:

Solicitor of Hamilton county; term, duties, etc.

Section 1001. There shall be elected at the next annual fall election and thereafter triennially by the qualified electors of any county containing a city of the first class having a population exceeding one hundred and eighty thousand, a solicitor to the board of county commissioners and board of control of such county, who shall be an attorney at law and shall hold his office for three years, from the first Monday of January next after his election. He shall be the legal adviser of said board of county commissioners and control, and shall prosecute or defend all suits and actions which either of said boards may direct or to which they may be a party. He shall receive a salary of thirty-five hundred dollars per year, payable out of the county treasury on the certificate of the board of county commissioners and warrant of the county auditor.

May appoint assistant.

SEC. 2. That section 1001, as amended March 26, 1880 (77 O. L. 87), and said original section 1001, revised statutes, be and the same are hereby repealed.

SEC. 3. In Hamilton county the solicitor now holding said office or who may be hereafter elected to such office may appoint an assistant solicitor, subject to the approval of the court of common pleas of said county, said assistant to receive a salary of twenty-five hundred dollars per year, payable in the same manner as that of the solicitor.

SEC. 4. This act shall take effect and be in force from and after its passage; provided, that nothing herein contained shall affect the term of office of any present incumbents, but they shall serve during the term for which they were elected.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 408]

AN ACT

To amend section 5399, title 1, division 5, chapter 1, of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 5399 of the revised statutes be amended so as to read as follows:

When master commissioner may convey real estate.

Section 5399. Real property may be conveyed by a master commissioner or special master only, when, by an order or a judgment in an action or proceeding, a party is ordered to convey such property to another, and he neglects or refuses to comply with the order or judgment, and the master is directed to convey on failure of the party to comply with the

order, when specific real property is sold by a master under an order or judgment of the court; but no court within this state shall make or issue an order to any master commissioner for the sale of any real estate, unless there exist some special reason or reasons why the sale of said real estate should not be made by the sheriff of the county where said decree or order shall be made, which said reason or reasons, if the court shall find any such to exist, shall be embodied by said court in and made part of its judgment, order or decree ordering such sale.

SEC. 2. That said section 5399 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 584.]

AN ACT

To provide for the safe keeping of public funds in cities of the first grade of the first class.

When certain public funds may be kept in bank.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That in cities of the first grade of the first class the city treasurer, upon giving bond as required by law, and having no sufficient burglar and fire-proof safe, may, by and with the consent of his bondsmen, deposit the funds and moneys of said city in such bank or banks as to him may seem best and safest for the interests of said city, but such deposit shall be so conditioned as to be subject at all times to the warrant and orders of said treasurer as required by law to be drawn.

SEC. 2. That all profits arising from such deposit or deposits shall inure to the benefit of said city.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 316.]

AN ACT

To amend section No. 4898 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section forty-eight hundred and ninety-eight of the revised statutes of Ohio, as amended March 29 (page 98 v. 78 of the Ohio laws), be amended so as to read as follows:

Duties of directors of improved roads.

Section 4898. They may appoint suitable persons to superintend the work of repairs on the several roads, who shall be required to give bond and security to the satisfaction of the commissioners for the faithful performance of their duties, and take and subscribe an oath also, which shall be endorsed on the back of the bond, and the same shall be filed in the auditor's office of the county. The auditor of the county shall serve as clerk of the board, and shall record the proceedings of the board in a book to be provided for such purpose by the county commissioners, which shall be open for examination to all persons interested, and they shall cause notice to be published in at least one newspaper of general circulation in the county, of such rules as may be adopted for the regulations of labor and travel on such roads, notice of the regular meetings of the board, and on or before the third Monday in the month of September in each year shall make a detailed statement of receipts and expenses to the court of common pleas, and the same shall be examined and published as provided in section nine hundred and seventeen of the revised statutes of Ohio.

SEC. 2. Said amended section number 4898 be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 542.]

AN ACT

To amend section 3254 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 3254 of the revised statutes of Ohio be so amended as to read as follows:

Stockholders entitled to certificates of stock.

Section 3254. Stockholders shall be entitled to receive [certificates] of their paid up stock in the company; and the president and secretary of the company shall, on demand, execute and deliver to a stockholder a certificate showing

the true amount of the stock held by him in the company. And it shall be the duty of the directors of such corporation, when organized, to keep a record of all stock subscribed and transferred, and of the secretary or recording officer of such corporation to register therein all subscriptions and transfers of stock. For that purpose a book shall be kept, and whenever any certificate or certificates of stock are assigned and delivered by a stockholder, the assignee thereof shall be entitled on demand to have the same duly transferred upon said book by such secretary or recording officer, whose duty it shall be at the same time to enroll therein also the name of said assignee as a stockholder, and the books and records of such corporation shall at all reasonable times be open to the inspection of every stockholder.

Record of.

SEC. 2. Said original section 3254 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 288.]

AN ACT

To amend sections 2439 and 2445 of the revised statutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections twenty-four hundred and thirty-nine (2439) and twenty-four hundred and forty-five (2445) of the revised statutes of Ohio be and they are hereby amended so as to read as follows:

Section 2439. The board may make from time to time such rules and regulations for the government of the department as may be found necessary, which shall have the force and effect of ordinance when approved by the common council. All officers and firemen shall be alternately relieved from duty for the space of twenty-four hours, in each week, without loss of pay, under such rules and regulations and subject to such restrictions as the board of fire commissioners may find necessary to maintain at all times the efficiency of the department.

Fire department, rules and regulations of.

Section 2445. Any interest received from the deposit of said fund shall be credited to the fund, and until such tax is collected, the salaries of officers and members, and other necessary expenses shall be paid out of the fund that otherwise would be used for fire department purposes; provided, that the levy as above authorized to be certified to the auditor by the board shall in no case exceed the sum of three hundred thousand dollars in any year. And the common council of

Disposition of interest on fund.

such city is hereby authorized and required upon the passage hereof to transfer from the general fund to the fire department fund of said city, the sum of twenty thousand dollars, to be expended by the board of fire commissioners in the employment of additional firemen.

SEC. 2. That original sections 2439 and 2445 of the revised statutes be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 100.]

AN ACT

To amend sections 4, 1276, 5707, and 6703 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section four, as amended March 29, 1883 (80 v. 79), and sections twelve hundred and seventy-six, fifty-seven hundred and seven, and sixty-seven hundred and three of the revised statutes of Ohio, be so amended as to read as follows:

Seal; of what it may consist.

Section 4. Wherever an official or a corporate seal is required to be affixed to any instrument of writing, an impression of such seal upon either wax, wafer or other adhesive substance, or upon the paper or material on which such instrument is written, shall be alike valid and sufficient; private seals are abolished, and the affixing of what has been known as a private seal to any instrument whatsoever, shall not give such instrument any additional force or effect, or in any way change the construction thereof.

Duties of prosecuting attorneys as to official bonds.

Section 1276. The prosecuting attorney shall prepare in legal form the official bonds for all county officers, and take care that the acceptance thereof by the proper authorities, the signing thereof, and all the indorsements thereon, are in conformity to law, and that the same are deposited with the proper officer; and the bond of no county officer shall be accepted or approved by the person or tribunal authorized to approve the same, until the prosecuting attorney of the proper county has inspected the same, and certified thereon that same is sufficient; provided, that in case of vacancy in the office of prosecuting attorney, or of his absence or disability, the probate judge shall discharge these duties.

How heir may assign dower.

Section 5707. When the lands of a deceased person a not incumbered by mortgage, or by judgment obtain against such decedent in his lifetime, the heir, or oth

person having the next immediate estate or inheritance, may assign to the widow her dower therein by writing, under his hand, particularly describing the same, which, if approved in writing on the deed of assignment by the probate judge of the county, of her residence, and accepted by the widow, shall be a good assignment in law.

When evidence of indebtedness to be filed.

Section 6703. In all actions instituted before a justice of the peace, founded upon any bond, bill of exchange, promissory note, or other instrument of writing, for the payment of a sum of money certain, upon which the whole amount of money therein promised is due, it shall be the duty of the plaintiff, his agent or attorney, to file said bond, bill of exchange, promissory note, or other written evidence of indebtedness upon which such suit is brought, with such justice of the peace; and if, upon the trial, judgment shall be entered thereon in favor of the plaintiff, such bond, bill of exchange, promissory note, or instrument of writing, shall be retained by the justice so rendering judgment, who shall indorse thereon the sum for which he shall have entered judgment, and shall subscribe his name thereto; and upon payment, or tender of the amount of such payment, together with the costs accruing thereon, or securing the payment of the same by putting in bail for the stay of execution, it shall not be lawful for the plaintiff to institute any other suit or suits upon said bond, bill of exchange, promissory note, or other instrument of writing, for the recovery of any further sum or sums, the payment of which is secured by the same bond, bill of exchange, promissory note, or other written evidence of indebtedness; provided, that when an appeal shall be taken from the judgment of such justice, it shall be his duty to deliver or transmit any bond, bill of exchange, promissory note, or other written evidence produced before him on trial, to the clerk of the court of common pleas, to which such cause shall have been appealed, on or before the second day of the term of the court next after taking such appeal; provided, also, that nothing herein contained shall be construed to lessen or in anywise affect the right which any creditors now have to demand from any justice of the peace, any joint and several obligations for the purpose of prosecuting any party to said obligations other than the party against whom judgment may have been rendered.

How justice to endorse same.

Proviso.

Sec. 2. That section 4, as amended March 29, 1883 (80 v. 79), and sections 1276, 5707 and 6703 are hereby repealed; and this act shall take effect on its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 176.]

AN ACT

To amend section 5134 of the revised statutes of Ohio, as amended April 16, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section fifty-one hundred and thirty-four of the revised statutes of Ohio, as amended April 16, 1881, be amended as follows:

Order in which cases are to be heard.

Section 5134. Cases in which there is an issue of fact, or in which damages are to be assessed, shall be tried in the order in which they stand on the trial docket, unless by the consent of parties, or by order of the court, they are continued or placed at the heel of the docket; but the court may assign for trial the cases triable to a jury, in a series in the order in which they stand upon the docket, and cases not triable to a jury, in a series in like manner. All other cases shall be heard in the order in which they stand upon the trial docket unless the court otherwise direct, and the court may at any time hear a motion or demurrer, and may by rule prescribe the time of hearing motions and demurrers.

Proviso.

Provided, that in any sub-division where there are two or more judges, one of whom, for any cause, shall be disqualified to hear or try any of the causes upon such trial docket, such causes may be assigned for trial or hearing in a series in the order in which they stand upon the docket, by a judge not disqualified to try the same, and may be tried and heard in like order.

SEC. 2. That said section 5134, as amended April 16, 1881, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 154.]

AN ACT

Supplemental to section 1260 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following section shall be supplemental to section 1260 of the revised statutes of Ohio, and shall be numbered and known as:

Section 1260*a*. The clerks of the several courts of common pleas, district courts and superior courts of Hamilton county shall, for services hereinafter specified, when rend-

Clerks of courts of Hamilton county; fees of.

ered, receive the fees herein provided, and no more; he shall administer oaths in pension and bounty cases without compensation. Docketing each cause in appearance docket, six cents; indexing each cause in same, direct and reverse, six cents; entering the voluntary appearance of plaintiffs and defendants, six cents; filing each precipe, pleading, or other necessary document, except motions, five cents; filing each motion, ten cents; taking each affidavit, fifteen cents; issuing each summons, notice, order of arrest, order of delivery, order of attachment, order of injunction, mandamus, mandate, execution, habeas corpus, attachment for contempt, order of reference, writ of dower, writ of partition, order of sale, or any other order or writ (excepting a subpœna) wherein the number of words does not exceed three hundred, thirty cents; and where the number of words exceeds three hundred, ten cents for each hundred words; taking undertaking bond or recognizance, thirty cents; taking justification of bail on notice, thirty-five cents; indorsing or entering allowance of bail, five cents; entering the return of each writ or order (excepting executions and subpœnas), five cents; impaneling a jury in each cause tried by a jury, and administering the oath, fifteen cents; a certificate to each tales juror, for his fees, ten cents; calling and entering each tales juror, five cents; issuing a subpœna wherein there is but one witness named, ten cents; for each additional name on the subpœna, five cents; swearing each witness and making entry of the same, five cents; entering attendance, each witness, five cents; a certificate to each witness for his fees, ten cents; issuing a certificate of qualification of a witness for grand jury, five cents; entering each cause on the bar and court calender each term, ten cents; indexing each cause, ten cents for each term the same remains on the docket; for entering an order, verdict, rule, or judgment on the journal, twelve cents for each hundred words; transcribing or posting an order, verdict, rule, or judgment on the appearance docket, ten cents; entering an assignment of a judgment or final order, ten cents; entering continuance, dismissal, or settlement of a cause, ten cents; entering a notice of appeal, ten cents; entering on the journal the finding of an indictment, ten cents; entering on the journal any plea not required to be in writing, ten cents; polling a jury when required, twenty-five cents; drawing a cost bill, which shall be taxed but once, forty cents; making up a complete record in each cause, ten cents for each hundred words; making out copies of process, pleadings, records, files, or any proceedings in a cause, with the seal annexed, where required by a party or the law, ten cents for each hundred words; for indexing judgments and final orders, for each case, fifteen cents; docketing each execution issued, five cents; making direct and reverse index to each execution issued, ten cents; entering and recording the return of an execution, where the number of words does not exceed one hundred, ten cents; and where the words exceed one hundred, ten cents for each

hundred words; each certificate with the seal of the court annexed (excepting when affixed to a copy), required by a party or the law, thirty-five cents; for each certificate to which the seal of the court is not required, and not herein otherwise provided for, fifteen cents; for a search of files, records, or dockets (excepting for a party or an attorney), ten cents; taking and entering a declaration of intention to become a citizen of the United States, and for a certified copy of such entry, under the seal of the court, twenty cents; entering the final admission of an alien to the rights of citizenship, and for a certified copy thereof, under the seal of the court, twenty cents; issuing any license ordered by the court, forty cents; receiving poll-book of justices' election, certifying elections therefrom, administering oath, and entering the same of record, seventy-five cents, to be paid by each justice on receiving his commission; receiving and disbursing money other than costs and fees paid over to such clerks in pursuance of an order of court, or on judgments, and which has not been collected by the sheriff, or other proper officer, on order or execution, to be taxed against the party charged with the payment of such money, a commission of one per centum on one thousand dollars, and one-half of one per centum on all amounts exceeding one thousand dollars; issuing venire for jury, twenty-five cents; approving each undertaking, bond, or recognizance, five cents; for entering each default on the appearance docket, ten cents; for entering each order to appear or advertise, twenty cents; entering proof of publication and filing, fifteen cents; entering appointment of guardian, ten cents.

SEC. 2. Said original section 1260 is hereby supplemented; and this act shall take effect from its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 540.]

AN ACT

To amend section 4889 of the revised statutes of Ohio, as amended March 29, 1883 (O. L., vol. 80, p. 89).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section 4889 of the revised statutes be amended as follows:

Section 4889. Each township in the counties of Belmont, Carroll, Clermont, Columbiana, Cuyahoga, Delaware, Erie, Franklin, Geauga, Greene, Hamilton, Henry, Huron, Lick-

ing, Lucas, Madison, Montgomery, Muskingum, Ottawa, Paulding, Pickaway, Pike, Preble, Ross, Stark, Summit, Trumbull, Tuscarawas, Vinton, Washington and Wayne, in which any such free road is located, is made a road district for the care and maintenance thereof.

Each township in certain counties a road district.

SEC. 2. Section 4889 be and is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 281.]

AN ACT

To amend section 6890 of the revised statutes of Ohio, and to suppress prize fighting and sparring exhibitions.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section sixty-eight hundred and ninety of the revised statutes of Ohio be amended so as to read as follows:

Section 6890. Any two persons who agree and willfully fight or box at fisticuffs or engage in any public sparring or boxing exhibition without gloves or with gloves of any kind, and whoever aids, assists or attends any such boxing exhibition or glove fight, and any owner or lessee of any grounds, lots, building, hall or structure of any kind, permitting the same to be used for such exhibition or purpose, shall be deemed guilty of an affray, and shall be fined in any sum not exceeding two hundred and fifty dollars, or imprisoned not more than three months, or both; but nothing in the foregoing shall apply to any public gymnasium or athletic club or any of the exercises therein.

Public boxing or sparring unlawful.

SEC. 2. That said original section 6890 be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 22.]

AN ACT

To amend section 2 and section 9 of an act entitled "an act further providing against the evils resulting from the traffic in intoxicating liquors," passed April 17, 1883. (O. L., v. 80. p. 164.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two and section nine, of said act, further providing against the evils resulting from the traffic in intoxicating liquors, passed April 17, 1883, be so amended as to read as follows:

Assessment a lien on premises; when payable.

Section 2. That said assessments, together with any increase thereof, as penalty thereon, shall attach and operate as a lien upon the real property on and in which such business is conducted, as of the fourth Monday of April each year, and shall be paid at the times provided for by law for the payment of taxes on real or personal property within this state, to wit: one-half on or before the twentieth day of June, and one-half on or before the twentieth day of December, of each year. Provided, where any such business shall be commenced in any year after said Monday, said assessment shall be proportionate in amount to the remainder of the assessment year, except that it shall in no case be less than twenty-five dollars, and the same shall attach and operate as a lien, as aforesaid, at the date of, and be paid within ten days after, such commencement; and that whoever shall engage or continue in the business aforesaid, of selling intoxicating liquors in or upon land or premises not owned by him, and without the written consent of the owner thereof, shall be held guilty of a misdemeanor, and liable to be indicted and punished by a fine not exceeding one hundred dollars, nor less than twenty-five dollars, or by imprisonment in the county jail not exceeding ten days, or both, at the discretion of the court; and each day's continuance upon such premises shall be an additional offense.

Proviso.

Unlawful to sell intoxicating liquors on Sunday.

Section 9. That the sale of intoxicating liquors, whether distilled, malt, or vinous, on the first day of the week, commonly called Sunday, except by a regular druggist, on the written prescription of a regular practicing physician, for medical purposes only, is hereby declared to be unlawful; in all places where such intoxicating liquors are on other days sold or exposed for sale, except regular drug stores, shall on that day be closed; and whoever makes any such sale, or allows any such place to be open or remain open on that day, shall be fined in any sum not exceeding one hundred dollars, and be imprisoned in the county jail or city prison not exceeding thirty days. In regular hotels and eating houses, the word "place" herein used, shall be held to mean the room or part of room where such liquors are usually sold, or exposed for sale, and the keeping of such room or part of room securely closed shall be held, as to such hotels and eating houses, as a closing of a place within the meaning of this act; provided, that nothing in this section shall prevent

The word "place" defined.

the council of any municipal corporation in the state from regulating and controlling, on such first day of the week, the sale of beer and native wine, in such manner as may by ordinance be provided. That the "act to amend section 6944 of the revised statutes of Ohio, as amended April 3, 1881," passed April 15, 1882, be and the same is hereby repealed. Proviso.

SEC. 2. That said original sections 2 and 9 of said recited act be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 554.]

AN ACT

Making appropriations to pay expenses incurred during the "Cincinnati Riot," and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby appropriated from any money in the treasury to the credit of the general revenue fund, the following sums for the purposes herein stated, to wit: Appropriations.

For the Seventh Battery, Ohio National Guard, to pay expenses of putting in order guns and other property damaged by the late flood, forty dollars ($40). 7th battery.

To pay for the services of the Ohio National Guard, including the governor's staff, while on duty during the late riot in Cincinnati; also to pay for transportation, subsistence, munitions of war, quarters, quartermaster's supplies, forage, commissary stores, camp and garrison equipage, overcoats, blankets, medical and surgical attendance, cost of telegraphing, casket and other necessary expenses for the burial of the dead; and to pay all other expenses rendered necessary, and incurred under state authority, in suppressing the late riot in Cincinnati, the sum of seventy thousand dollars ($70,000), or so much thereof as may be necessary. Militia services, transportation and supplies.

The money appropriated by this act shall be paid according to law, on proper vouchers, after the same have been approved by the adjutant general of the state.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 138.]

AN ACT

To establish an intermediate penitentiary, and to provide for the appointment of a board of managers to locate, construct and manage the same.

Intermediate penitentiary.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be established an intermediate penitentiary, for the incarceration of such persons convicted and sentenced under the laws of Ohio, as have not previously been sentenced to a state penitentiary in this or any other state or country.

Appropriation for.

SEC. 2. That, for the purpose of carrying into effect the provisions of this act, there shall be and is hereby appropriated for the years 1884 and 1885, ten per centum of all the moneys received under an act passed April 17, 1883, entitled, "an act further providing against the evils resulting from the traffic in intoxicating liquors," anything in the above recited act to the contrary, notwithstanding. Said ten per centum of such money so received shall be returned to the state treasury by the several county treasurers of the state, when making regular semi-annual settlement, as is provided in other cases. The money, so received by the state treasurer, shall be placed to the credit of the intermediate penitentiary fund, to be used for the objects provided for by this act.

Board of managers, appointment, term and vacancy.

SEC. 3. The governor is hereby authorized to appoint, by and with the advice and consent of the senate, three persons, who shall act as a board of managers of said intermediate penitentiary, and not more than two members of which board shall belong to the same political party. Of the managers so appointed, one shall serve one year, one two years, one three years, as may be designated by the governor at the time of their appointment; and at the expiration of the term of office of each member of the board, his successor shall be appointed in the manner and by the authority as hereinbefore provided, but for the term of three years.

Whenever a vacancy occurs in the board of managers, otherwise than by the expiration of the term of a manager, such vacancy shall be filled by appointment by the governor, by and with the advice and consent of the senate, if the senate be in session, and if the senate be not in session, then subject to the confirmation of the senate when it next convenes, for such term to be designated by the governor at the time of appointment as shall preserve and insure the rotation in office of the managers, the same as if one manager should be appointed every year, at the expiration of a manager's term, for the term of three years; provided, that the governor may, at his discretion, remove any member of the board of managers.

President of board.

Immediately upon their appointment and confirmation as herein provided, the board of managers shall convene in the city of Columbus. The president of the board shall be

the member having the shortest time to serve. Two members of the board shall constitute a quorum for the transaction of business.

SEC. 4. The board of managers shall have power to locate and construct said intermediate penitentiary, and shall perform such other duties as shall be required of them by this act. They shall each be entitled to receive as compensation, one thousand dollars per year. In selecting a site for said intermediate penitentiary, the board are authorized to receive donations of money or lands for the use of the state, to assist in defraying the cost of construction of said intermediate penitentiary; and they shall make such award of location as may in their judgment be determined, taking into consideration always the selection of a location which will best promote the health and reformation of convicts to be hereafter sentenced to said intermediate penitentiary. The board shall also prepare plans and specifications and advertise for and receive bids for the construction of said intermediate penitentiary, and shall have power to reject any or all bids.

Salary.

Site and plans.

SEC. 5. Upon the completion of the buildings of said intermediate penitentiary, the board of managers shall appoint a warden, clerk, physician and such other officers as may be required, who shall each receive a salary to be hereafter established by law; and they shall have power to remove any or all of them for cause. The clerk shall act as secretary of the board of managers. During the time occupied in constructing the penitentiary, the board may appoint a temporary clerk, who shall receive a salary for such services not to exceed one thousand dollars ($1,000) per annum.

Powers of board as to appointments.

SEC. 6. The board of managers shall prepare rules for its own government and for the government of the intermediate penitentiary, in accordance with the provisions of this act and subject to the approval of the governor. And the board shall make annual reports to the governor on or before the fifteenth day of November.

Rules.

SEC. 7. The warden shall have supervision of the penitentiary, subject to the approval of the board of managers, and shall receive and take into said penitentiary all criminals not known to have been previously sentenced to a state penitentiary or reformatory in this or any other state or country, on conviction of any criminal offense in any court having jurisdiction thereof; and all courts shall sentence criminals, convicted for first offense, except those sentenced for murder in the second degree, to said intermediate penitentiary.

Warden, duties of.

SEC. 8. The discipline to be observed in said penitentiary shall be reformatory, and the managers and warden shall have power to use such means of reformation, consistent with the improvement of the inmates, as they may deem expedient. Agricultural labor or mechanical industry may be resorted to by said managers and warden as an instrument of reformation. The contract system of employing

Discipline to be reformatory.

convicts shall not exist in any form in said intermediate penitentiary, but the prisoners shall be employed by the state, and in such way as to in the least possible manner interfere with or affect free labor.

Sentence of criminals.

SEC. 9. All provisions of existing laws requiring the courts of this state to sentence criminals to the Ohio penitentiary, shall from and after the completion of the penitentiary by the act provided, apply to said intermediate penitentiary, so far as to enable courts to sentence the class of prisoners mentioned in section seven (7) of this act to said intermediate penitentiary.

SEC. 10. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 234.]

AN ACT

For the extradition of fugitives from justice fleeing to foreign countries.

Extradition of criminals from foreign countries.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever it shall be made to appear to the governor by sworn evidence, in writing, that any person has committed any crime within the state of Ohio, for which by the provision of any law of the United States, or of any treaty between the United States and any foreign government, such person may be delivered to the United States or its authorities by any such foreign government or its authorities, and that such person is a fugitive from the justice of the state of Ohio and may be found within the territory of any such foreign government, it shall be the duty of the governor under the great seal of Ohio to request the president of the United States, or the secretary of state of the United States, to take any steps necessary for the extradition of such person from such foreign territory, and his delivery to any agent of the state of Ohio whom the governor may appoint to receive him, or to the proper officer of the county within which he may be charged with such crime. Provided, that before any such request be made by the governor, he shall be satisfied by sworn evidence, in writing, that such extradition is sought in good faith for the punishment of such crime only, and not for the purpose of collecting a debt or pecuniary mulct, nor of bringing the alleged fugitive within the state of Ohio with the view to serve him with civil process, or with criminal process other than for the crime for the commission of which his extradition may be sought.

Proviso.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 182.]

AN ACT

To amend sections 3108, 3109, 3110, 3111 and 3112 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections thirty-one hundred and eight, thirty-one hundred and nine, thirty-one hundred and ten, thirty-one hundred and eleven, and thirty-one hundred and twelve of revised statutes of Ohio be so amended as to read as follows:

Separate property of wife.

Section 3108. Any estate or interest, legal or equitable, in real or personal property, including rights in action, belonging to a woman at her marriage, or which may come to her during coverture, by conveyance, gift, devise or inheritance, or by purchase with her separate money or means, or due as the wages of her personal labor, or growing out of any violation of her personal rights, shall, together with the rents, incomes, issues and profits thereof, be and remain her separate property.

To be under her sole control.

Section 3109. The separate property of the wife shall be under her sole control, and shall not be taken by any process of law for the debts of the husband, or be in any manner conveyed or incumbered by him, and she may, in her own name, during coverture, contract to the same extent and in the same manner as if she were unmarried.

When husband not liable for wife's debts.

Section 3110. The husband shall not be liable upon any cause of action existing against the wife at their marriage, nor for a tort committed by her during coverture, nor upon any contract made by her, except to the extent of any separate property of the wife acquired by him under an ante-nuptial contract, or otherwise.

When a wife may act as a feme-sole.

Section 3111. A married woman whose husband deserts her, or from intemperance or other cause neglects to provide for his family, may, in her own name, make contracts for the labor of her minor children, and in her own name sue for and collect their earnings; and she may file a petition against her husband, in the common pleas court of the county in which she resides, alleging such desertion or neglect, and upon proof thereof the court may enter a judg-

ment vesting her with the rights, privileges and liabilities of a head of a family, as to the care, custody and control of her minor children, and with all the powers of a feme-sole as to disposing of her real property, free from the curtesy of her husband.

When preceding sections do not apply.

Section 3112. The provisions of sections thirty-one hundred and eight and thirty-one hundred and nine shall not affect any of the provisions of sections forty-one hundred and six, forty-one hundred and seven, forty-one hundred and eight and forty-one hundred and seventy-six, nor any rights which vested prior to May 1, 1861.

SEC. 2. That sections 3108, 3109, 3110, 3111 and 3112 are hereby repealed; and this act shall take effect on its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 227.]

AN ACT

To amend section 4982 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 4982 be so amended as to read as follows:

Within what time certain actions may be brought.

Section 4982. Within four years [:] An action for trespass upon real property, but in an action for trespass under ground or injury to mines, the action shall not be deemed to have accrued until the wrong-doer is discovered. An action for the recovery of personal property or for taking, detaining, or injuring the same, but in an action for the wrongful taking of personal property, the cause of action shall not be deemed to have accrued, until the wrong-doer is discovered. An action for an injury to the rights of the plaintiff not arising on contract and not hereinafter enumerated. An action for relief on the ground of fraud, but the cause of action in such case shall not be deemed to have accrued until the discovery of the fraud.

SEC. 2. That said original section 4982 be and the same is hereby repealed; and this act shall take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 167.]

AN ACT

To amend section 4457 of the revised statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section forty-four hundred and fifty-seven of the revised statutes of Ohio be so amended as to read as follows:

County ditch notice, how to be served.

Section 4457. Upon the filing of the report of the surveyor or engineer, the auditor shall, without delay, fix a day for the hearing of the same; he shall prepare and deliver to the petitioners or any one of them, a notice in writing directed to the resident lot or landowners, and to the authorities of municipal or private corporations, affected by the improvement, also a copy directed to each of such lot or landowners agent or officer, setting forth the pendency, substance, and prayer of the petition, together with a statement of the apportionment made to such person or corporation by the surveyor or engineer in his report, one of which copies shall be served upon each lot or landowner, and upon each member of any such public board or authority, and upon an officer or agent of such private corporation, or left at his usual place of residence, at least eight days before the day set for the hearing, and the person who serves the same shall make return on the notice, under oath, of the time and manner of service, and file the same with the auditor on or before that day; and the auditor shall, at the same time, give the like notice to each non-resident lot or landowner, or by publication in a newspaper printed and of general circulation in the county, for at least two consecutive weeks before the day set for the hearing, which notice shall be verified by the affidavit of the printer, or other person knowing the fact, and filed with the auditor on or before that day.

SEC. 2. That original section 4457 is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 181.]

AN ACT

To amend section 3950 of the revised statutes of Ohio, as amended April 12, 1880. (77 O. L., p. 186.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That amended section three thousand nine hundred

and fifty (3950) of the revised statutes of Ohio be amended so as to read as follows:

Power to change sub-school districts.

Section 3950. No joint sub-district which is now, or may hereafter be organized, shall be dissolved, changed or altered unless by the concurrent action of the boards of education of the several townships having territory included therein; provided, however, that when any board of education in a joint sub-district desires to dissolve, change or alter the same, the board of education desiring such dissolution, change or alteration, shall notify, in writing, the boards of education interested, of the time when they will meet to consider the proposed dissolution, change or alteration. The place of meeting shall be at the school-house in such joint sub-district; but if there be none, then at some convenient place in the vicinity of such joint sub-district. If the joint boards fail to meet, or, having met, can not agree upon a dissolution, change or alteration (as the case may be), then the board of education desiring such dissolution, change or alteration, may appeal to the probate court of the proper county, and the same proceedings shall be had as in case of appeal in the formation of joint sub districts, so far as applicable, as provided in sections three thousand nine hundred and thirty-five, three thousand nine hundred and thirty-six, three thousand nine hundred and thirty-seven, three thousand nine hundred and thirty-eight, three thousand nine hundred and thirty-nine, three thousand nine hundred and forty and three thousand nine hundred and forty-one of the revised statutes. And any joint sub-district established by proceedings in the probate court may be dissolved, changed or altered as provided in this section, at any time.

Proceedings to effect change.

SEC. 2. Said original amended section 3950 of the revised statutes be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 78.]

AN ACT

To authorize the board of public works to build a permanent and substantial levee in the eighth ward of the city of Zanesville, extending from the dam across the Muskingum river to the Fifth street bridge over the Muskingum river at Zanesville, Ohio, and to appropriate money therefor, and to repair two canal bridges on Front street, Marietta, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of public works be and they are

hereby authorized to expend the sum of twenty-five thousand dollars ($25,000), or so much thereof as said board may deem necessary to protect the property of the state, for the purpose of building a permanent and substantial levee in the eighth ward of the city of Zanesville, extending from the dam across the Muskingum, to the Fifth street bridge over the Muskingum river, at Zanesville, Muskingum county, Ohio; and three thousand dollars ($3,000) for the repair of two canal bridges on Front street, Marietta, Ohio. Levee may be built at Zanesville.

SEC. 2. That for the purpose of carrying into effect the provisions of the above section, there be and is hereby appropriated, out of any moneys in the state treasury to the credit of the general revenue fund, and not otherwise appropriated, the sum of twenty-eight thousand dollars ($28,000). Appropriation for.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 13, 1884.

LOCAL AND SPECIAL ACTS.

[Senate Bill No. 48.]

AN ACT

To authorize and empower the city of Cincinnati and the board of directors of the university of Cincinnati to sell and invest certain property held in trust for the maintenance of the art school of Cincinnati, and to transfer the control and management of said art school and the property held in trust for the same, to the trustees of the Cincinnati Museum Association.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the mayor of the city of Cincinnati, acting for and on behalf of said city, and the board of directors of the university of Cincinnati, acting on behalf of said board and said university, are hereby authorized and empowered to sell, transfer and convey unto Nicholas Longworth, his heirs and assigns forever, all of the property held in trust for the support and maintenance of the "Art School of Cincinnati," the same being the property heretofore given for said purpose by Joseph Longworth and the devisees of Nicholas Longworth, deceased, in whatever form said property is now held, including any obligations heretofore given by Joseph Longworth for the same or any part thereof. The said property, when so sold to said Nicholas Longworth to be taken and held by him, freed and discharged of all trusts and claims whatsoever; and to receive from said Nicholas Longworth, in full payment of the purchase price therefor, the following described property to be by him conveyed to said city: "All that certain lot of land situate on the southwest corner of Third street and Central avenue in said city of Cincinnati, being ninety feet in front on Third street, by about one hundred and sixty-five feet deep to Pearl street;" the same being now leased by perpetual lease and yielding a net annual rental of "forty-eight hundred dollars," the said Nicholas Longworth's interest therein being in fee. The said premises when conveyed by said Nicholas Longworth to said city, to be by it taken and held in trust for the support and maintenance of said art school, the income alone to be devoted to said purpose, the principal to remain intact, and never to be used, diverted or encumbered from the purposes of said trust. And the said city of Cincinnati, acting by its mayor on its behalf, and said board of directors for itself and for said university, are hereby authorized and empowered by a conveyance in writing under the seal of said city, and under the seal of said university, to transfer the control and management of said art school and of said trust property to the trustees of the Cincinnati museum association, and when so transferred the same shall be hereafter and forever exclusively managed and controlled by the trustees of said museum association, and in connection therewith and not otherwise; and said trustees of said museum association shall have all the powers over said art school and said trust property theretofore possessed by said city and said university and its board of directors; provided, that said Cincinnati museum association, upon said transfer being

made as herein provided, shall assume and discharge all the obligations in connection with said art school, theretofore created by said city, or its said university, or its board of directors.

SEC. 2. This act shall be in force and take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed January 30, 1884.

[House Bill No. 59.]

AN ACT

To provide for the acknowledgment, acceptance and recording of Wellman's addition to the city of Massillon.

WHEREAS, Heretofore on or about the twelfth day of March, A. D. 1853, one Marshall D. Wellman did cause to be alloted and platted, by one John Whitacre, then county surveyor of Stark county, a certain tract of land by him owned within the limits of the town now the city of Massillon, which said plat or allotment has ever since been known as Wellman's addition to Massillon; and whereas, said Marshall D. Wellman did afterward sell and convey the lots in said addition to Kent Jarvis and others, and did deliver said plat to said Kent Jarvis before the same was accepted and recorded as an addition to said city; and whereas, said Marshall D. Wellman died without having made any acknowledgment or record of said plat as is required by law, and which plat is now in possession of James R. Dunn, administrator of the estate of said Kent Jarvis, now deceased; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the said James R. Dunn is hereby authorized to acknowledge before any officer having authority to take acknowledgments, that the aforesaid plat came into his possession as administrator of the estate of Kent Jarvis, deceased, and is the original plat of Wellman's addition to the city of Massillon.

SEC. 2. Said acknowledgment when so made shall have the same force and effect in law, and entitle said addition to acceptance by the city, and the plat to record as though the same had been acknowledged by said Marshall D. Wellman in his lifetime.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed January 31, 1884.

[Senate Bill No. 13.]

AN ACT

To authorize the trustees of Circleville township, Pickaway county, Ohio, to construct a turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Circleville township, Pickaway county, be and they are hereby authorized to expend any sum not exceeding twenty-five hundred dollars, from the road fund now in the treasury of said township, and not needed for other purposes, to grade and gravel the public road known as the "island road," in said township, from the corporation line of the city of Circleville, in a northerly direction, to the red bridge across the Scioto river, a distance of about one mile and a half; said road, when completed, to be a free turnpike road.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[House Bill No. 27.]

AN ACT

To authorize and require the commissioners of Clarke county, Ohio, to pay a certain claim against the city of Springfield.

WHEREAS, The commissioners of Clarke county have heretofore purchased several turnpike toll roads within said county, and the same having been converted into free roads, and the same paid for, or will be paid for by taxes levied and collected from all the taxable property of said county, including the taxable property of said city; and

WHEREAS, The corporate limits of said city of Springfield have been so extended as to include about two miles of the Clarke and Union turnpike road, and the said turnpike company, having commenced proceedings in the court of common pleas of said Clarke county, against said city of Springfield, to recover the value of said road so included, within the corporate limits thereof; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the commissioners of Clarke county, Ohio, be and they are hereby authorized and required to pay the amount of any judgment that has or may hereafter be recovered against said city, as and for the value of so much of said road as has been included within said city limits.

SEC. 2. That the said commissioners, upon notice of the pendency of said proceedings, in said court, against said city, may, upon their motion, have said county made a party defendant; and thereafter said county shall have all the rights as defendant as it would have had, had it been a defendant at the commencement of said proceeding.

SEC. 3. That the commissioners of said county, upon the rendition of a judgment by said court, against said city or county, as the case may

be, are hereby authorized, empowered and required to issue the bonds of said county sufficient in amount to provide the means to pay off and discharge said judgment and costs; said bonds may run for any period not exceeding ten years, and bear interest not to exceed six per cent. per annum, payable semi-annually, and be advertised and sold according to law; and said commissioners are authorized to levy, in addition to what they are now authorized by law to levy on the taxable property of said county, including the property of said city, as will pay the principal and interest of said bonds as the same fall due.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[House Bill No. 58.]

AN ACT

For the relief of John W. Schall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township clerk of Washington township, Hocking county, shall, and he is hereby required to draw his order as such clerk on the township treasurer of said Washington township, in favor of John W. Schall, for the sum of one hundred and forty dollars ($140), and said township treasurer shall pay said order so drawn out of any funds in his hands belonging to sub-school district number three (3) of said township for the purpose of paying teachers; provided, that before said township clerk shall draw said order, and said treasurer shall pay the same, the board of directors of said sub-schoool district number three (3) of said township, shall, on the second Monday in April, 1884, submit the proposition to the qualified electors of said sub-school district number three (3), and provided, further, that two-thirds of the qualified electors at said election vote in favor of said payment.

SEC. 2. It shall be the duty of said board of directors of said sub-school district number three, before submitting said proposition, to give at least ten days' notice of the submission of said proposition, by posting notices in at least three conspicuous places in said sub-school district number three (3), of the time and object of said voting. The form of the ballots at said election on said proposition shall be as follows: "For the payment of John W. Schall for his services heretofore rendered as teacher—Yes." "For the payment of John W. Schall for his services heretofore rendered as teacher—No;" and in case two-thirds of the qualified electors at said election shall vote in favor of said proposition, the clerk of said board of directors shall certify the same to said township clerk, and thereupon he shall draw his order as provided in the first section of this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[House Bill No. 81.]

AN ACT

For the relief of William Felger, treasurer of Green township, Wayne county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Green township, Wayne county, Ohio, are hereby authorized to release William Felger and his official securities in their official bonds as treasurer of said township, from the payment of the sum of one hundred and forty dollars and ninety-seven cents ($140.97) belonging to the school and township funds of said township; provided, that the said trustees shall submit said proposition to release to the qualified electors of said township, at a general or special election, and two-thirds of said electors voting at such election shall declare in favor of such release.

SEC. 2. It shall be the duty of said trustees, before submitting said proposition at a special election, to give notice by advertisement, posted in three conspicuous places in said township, at least ten days next preceding said election, stating the object thereof; but if submitted at any general election, no advertisement shall be required, and the form of the ballot shall be the following: "For release, yes;" "For release, no." The trustees shall provide a separate ballot box for such ballots, and make due return of the result of said election to the auditor of said county.

SEC. 3. This act shall take effect on and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[House Bill No. 83.]

AN ACT

To authorize the trustees of Margaretta township, in Erie county, Ohio, to levy a tax on said township, and issue bonds for the purpose of completing and furnishing a town hall in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Margaretta township, Erie county, Ohio, be and are here-

by authorized to issue bonds of said Margaretta township in any sum not exceeding fifteen hundred dollars ($1,500), payable at any time within three years, bearing a rate of interest not exceeding six per cent. (6%), interest payable annually, for the purpose of completing and furnishing a town hall in said Margaretta township. Said bonds shall not be sold for less than their par value, and shall be signed by the trustees of said township, and be attested by the clerk of said township.

SEC. 2. For the purpose of raising the money to pay said bonds and the interest thereon, as each matures, the said trustees are hereby authorized to levy a tax not exceeding one mill on the dollar in any one year, on all of the taxable property in said township, in addition to the taxes now authorized by law to meet said indebtedness.

SEC. 3. This act to take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[House Bill No. 123.]

AN ACT

To authorize the commissioners of Franklin county to build a bridge across the Scioto river at the village of Dublin.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Franklin county are hereby authorized and required to remove the old bridge across the Scioto river at the village of Dublin, in said Franklin county, and build a new bridge over said river at that place; and to meet the expenses thereof, the said county commissioners shall issue the bonds of said county of Franklin, in such sums as may be necessary to build said bridge, in anticipation of the levy for bridge purposes, for the years 1884, 1885 and 1886, which bonds shall bear interest at a rate not exceeding six per cent. per annum, and in the event that the same are not received by the contractor at par, shall be sold at not less than their par value, and the proceeds arising from such sale shall be applied to the purpose herein stipulated.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[House Bill No. 117.]

AN ACT

To authorize the treasurer of Seneca county, Ohio, to deposit the funds received by him as such, in the banks of said county, during the rebuilding of the court house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the treasurer of Seneca county, Ohio, with the approval and consent in writing of his sureties and the commissioners of the county, is hereby authorized to deposit with either or any of the banks of said county the funds received by him from time to time as such treasurer, during the rebuilding of the court house, authorized by an act of the sixty-fifth general assembly, and that the sureties of said treasurer shall not be released from their obligations as such on account of such deposit.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[House Bill No. 125.]

AN ACT

To authorize the council of the incorporated village of Middletown, Butler county, Ohio, to issue bonds for the redemption of water works bonds now outstanding, and to amend an act entitled "an act to authorize the council of the incorporated village of Middletown, Ohio, to issue bonds for the redemption of water works bonds, now outstanding," passed April 18, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Middletown, Butler county, Ohio, be and the same is hereby authorized to issue the bonds of said village not exceeding sixty-nine thousand five hundred dollars ($69,500), as hereinafter provided, for the sole purpose of raising funds to redeem certain bonds, to the amount of sixty-nine thousand five hundred dollars ($69,500), and issued by said village for the construction of water-works, under an act of the general assembly of the state of Ohio, passed 29th day of March, 1872, and acts amendatory and supplementary thereto.

SEC. 2. Said bonds shall all bear the same date and be signed by the mayor and clerk of said village, and attested by its seal, and bear interest at a rate not exceeding five per centum (5%), payable semi-annually. That for the purpose of paying said bonds, and the interest thereon, as the same may become due, or redeeming the same earlier, the said council shall be and are hereby authorized to levy a tax annually upon all the taxable property within said village, not exceeding two and one-half mills on the dollar in any one year; said levy shall not be additional to the levy now authorized by law. Said bonds so issued, with interest coupons attached, shall be in such sums of not less than one hundred dollars ($100), nor more than one thousand dollars ($1,000),

as the council may hereafter direct, and the interest and principal shall be payable to bearer at such place or places as the council may direct. Said bonds shall become due and payable as follows: Two thousand dollars ($2,000) at the end of six years from the date thereof, redeemable at the pleasure of said council at any time after four years from the date thereof. Two thousand dollars ($2,000) at the end of seven years from the date thereof, redeemable at the pleasure of said council at any time after five years from the date thereof. Two thousand dollars ($2,000) at the end of eight years thereof, and redeemable at the pleasure of said council at any time after six years from the date thereof. Two thousand dollars ($2,000) at the end of nine years thereof, and redeemable at the pleasure of said council at any time after seven years from the date thereof. Two thousand dollars ($2,000) at the end of ten years from the date thereof, and redeemable at the pleasure of said council at any time after eight years from the date thereof. Two thousand dollars ($2,000) at the end of eleven years from the date thereof, and redeemable at the pleasure of said council at any time after nine years from the date thereof. Two thousand dollars ($2,000) at the end of twelve years from the date thereof, and redeemable at the pleasure of said council at any time after ten years from the date thereof. Two thousand dollars ($2,000) at the end of thirteen years from the date thereof, and redeemable at the pleasure of said council at any time after eleven years from the date thereof. Two thousand dollars ($2,000) at the end of fourteen years from the date thereof, and redeemable at the pleasure of said council at any time after twelve years from the date thereof. Two thousand dollars ($2,000) at the end of fifteen years from the date thereof, and redeemable at the pleasure of said council at any time after thirteen years from the date thereof. Twenty-five thousand dollars ($25,000) at the end of twenty years from the date thereof, redeemable at the pleasure of said council at any time after ten years from the date thereof. Twenty-four thousand five hundred dollars ($24,500) at the end of thirty years from the date thereof, redeemable at the pleasure of said council at any time after fifteen years from the date thereof.

SEC. 3. Said bonds shall not be sold for less than their par value, and it shall be the duty of the clerk of said village to keep a full and complete record of all said bonds in a book provided for that purpose by the council of said village.

SEC. 4. That the act passed April 18, 1883, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER.
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 5, 1884.

[Senate Bill No. 24.]

AN ACT

To authorize the incorporated village of Clyde, Sandusky county, Ohio, to issue bonds to meet certain indebtedness caused by the defalcation of the treasurer of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Clyde, Sandusky county,

Ohio, be and is hereby authorized to issue the bonds of said village in sums of not less than five hundred dollars each, and in the aggregate not to exceed eight thousand five hundred dollars, which bonds shall have proper interest coupons attached, and have a rate of interest not exceeding six per cent. per annum, payable semi-annually, at such place as the council of said village may by ordinance or resolution determine.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the corporation clerk of said village. They shall be issued in such amounts respectively as will, in the judgment of the council, best subserve the negotiation and sale thereof, and shall not be sold for less than their par value and accrued interest. Said bonds may, by authority of the said council, be sold at private sale and without advertising. The principal of said bonds shall be payable at such place and time as the council of said village may determine by ordinance or resolution, within a period not exceeding six years, and said council is hereby authorized to levy a tax upon all the taxable property of said village, to pay said bonds and interest, not to exceed one and one-half mills on the dollar in any one year.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 7, 1884.

[Senate Bill No. 7.]

AN ACT

To authorize the council of the village of Batavia, Clermont county, Ohio, to issue bonds for the purpose of purchasing a site and erecting thereon a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Batavia, Clermont county, Ohio, is hereby authorized to issue the bonds of said village, not to exceed twelve thousand dollars, and bearing a rate of interest not exceeding six per centum per annum, payable annually, and to run not exceeding twelve years, and to be of the denominations of five hundred and one thousand dollars, for the purpose of raising money with which to purchase a site and erect thereon a town hall, and the council shall have power to levy taxes on all taxable property within said village, for the purpose of paying said bonds and the interest thereon.

SEC. 2. Provided, that no part of the money herein named shall ever be expended for any other purpose than that designated; and further provided, that said village council shall first submit the question of purchasing such site and erecting thereon such town hall, and levying said tax for the above named purpose, to the qualified electors of the said village, at a special election, having first given at least ten days' notice thereof, by publication in all the newspapers in said village.

SEC. 3. The electors voting at said election shall have written or printed on their tickets, "Tax for town hall purposes—Yes;" or, "Tax

for town hall purposes—No;" and if two-thirds of all the electors voting at said election upon the question submitted, shall vote tax, yes, said town hall shall be built, and the tax levied as above provided.

SEC. 4. That upon the electors of said village voting in favor of said town hall tax, the council of said village are hereby empowered to sell and convey by deed, the site and building thereon owned by said village as a council room, and use the proceeds of said sale in purchasing a site and in the erection of a town hall, in addition to the bonds hereinbefore mentioned.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 7, 1884.

[House Bill No. 218.]

AN ACT

To authorize and empower the county commissioners of Belmont county to borrow money and issue bonds for the relief of persons in Belmont county who suffered by the late flood.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Belmont county are hereby authorized and empowered to borrow for and on behalf of said county a sum of money not exceeding fifty thousand dollars, for the purpose of assisting and relieving those who have suffered by the late flood in said county, and to distribute or apportion the same to the cities, towns and township authorities of said county wherein such persons have suffered in proportion to the number of persons, their wants, necessities and suffering in said places from said cause, and such authorities may expend the same for the aforesaid purpose as they may determine.

SEC. 2. The commissioners aforesaid are hereby authorized and empowered to issue and negotiate the bonds of said county for the sum borrowed as aforesaid, which shall bear interest at the rate of not more than six per centum per annum, payable semi-annually, and shall be due and payable ten years after the date thereof or sooner, as said commissioners may determine, and the same shall be negotiated at not less than par.

SEC. 3. For the payment of the bonds issued as aforesaid, the faith and credit of said county are hereby pledged, and the county commissioners of said county are authorized and empowered to make such other, further or additional levy of taxes as may be necessary or required to pay the same.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 14, 1884.

[House Bill No. 51.]

AN ACT

To authorize the trustees of Rochester township, Lorain county, to levy a tax to complete a township hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Rochester township, Lorain county, Ohio, be and they are hereby authorized to levy a tax of one mill upon each dollar valuation of the taxable property in said township, in the year 1884, for the purpose of completing the erection of a township hall in said township.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 14, 1884.

[Senate Bill No. 39.]

AN ACT

To authorize the county commissioners of Clermont county to purchase the New Richmond and Ohio turnpike and plank road, situated in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of commissioners of the county of Clermont be and hereby is authorized to purchase for said county, the New Richmond and Ohio turnpike and plank road, beginning at the village of New Richmond, passing through Mt. Pisgah and Lindale, and intersecting the Ohio turnpike at Cleveland station, on the Cincinnati and Portsmouth railroad, situate in the county of Clermont, and thereafter to be a free turnpike and kept in repair as other free turnpike roads in said county. When purchased, and before any payment is made therefor, the owner or owners to execute to the county of Clermont a good and sufficient deed of conveyance to the satisfaction of the said board of county commissioners.

SEC. 2. That before said purchase is made, there shall be filed in the office of the said board of county commissioners, by the person or persons interested in the purchase of the New Richmond and Ohio turnpike and plank road, a guaranty, by subscription or otherwise, to the satisfaction of said board, of not less than twenty per cent. of the amount of purchase money of the New Richmond and Ohio turnpike and plank road. When the purchase is made and deed of conveyance executed for said New Richmond and Ohio turnpike and plank road, the board of county commissioners shall assign said guarantee of twenty per cent. to the New Richmond and Ohio turnpike and plank road company, and the same shall be received by it, without rebate, in full payment of the one-fifth of the purchase money for said New Richmond and Ohio turnpike and plank road, to be collected by it.

SEC. 3. That in case said board of county commissioners and the said

New Richmond and Ohio turnpike and plank road company cannot agree upon a purchase price, said board and said company may cause an appraisement thereof to be made by three disinterested freeholders of the said county, one to be selected by said board, one by said New Richmond and Ohio turnpike and plank road company, and the third appraiser to be chosen by the two appraisers selected as aforesaid.

SEC. 4. That the appraisers selected and chosen under the provision of this act shall, under oath, upon actual view, appraise said New Richmond and Ohio turnpike and plank road at its true value, and make return in writing of their appraisement within ten days after making the same to said board. The said board and said New Richmond and Ohio turnpike and plank road company, after the return of said appraisement, may agree upon a sale and purchase of said New Richmond and Ohio turnpike and plank road at the appraised value, or less. If the said board refuses to complete the purchase at the appraised value, in that case the said county shall pay the costs of appraisement. If the New Richmond and Ohio turnpike and plank road company refuses to sell at the appraised value, the said New Richmond and Ohio turnpike and plank road company shall pay the costs of appraisement. The appraisers shall each be entitled to receive two dollars per day for their services rendered under this act.

SEC. 5. That for the purpose of paying four-fifths of the purchase money for said New Richmond and Ohio turnpike and plank road, said board of county commissioners is hereby authorized to issue the bonds of said county, payable at such times not exceeding twenty years from the date of the same, as to said board may seem proper, bearing a rate of interest not exceeding six per centum per annum, payable semi-annually. Said county bonds shall not be sold or otherwise disposed at less than their par value, nor shall not be issued in denominations to exceed five hundred nor less than fifty dollars.

SEC. 6. That the county auditor of said county shall make and keep in the office of said board, in a book to be provided for the registry of county bonds, an accurate registry of said bonds, showing date of issue, number of bond, amount of bond, to whom sold, when due, when redeemed, and amount of interest and principal, paid on each bond, each of said bonds to be signed by the county commissioners and countersigned in red ink by the county auditor of said county.

SEC. 7. That for the payment of the interest on and for the redemption of said bonds, the board of county commissioners of said county is hereby authorized to levy a tax upon all the taxable property of said county in addition to the taxes now authorized by law, at such a rate not exceeding one-fifth of one mill annually, as may be found necessary to pay the interest on said bonds and provide a sum sufficient to redeem and pay said bonds as they become due and payable.

SEC. 8. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 14, 1884.

[Senate Bill No. 20.]

AN ACT

To authorize the agricultural society of Butler county, Ohio, to erect permanent buildings on the fair grounds in said county, and to provide for the payment of the indebtedness thereby incurred.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the agricultural society of Butler county, Ohio, be and is hereby authorized and empowered to erect permanent buildings on the fair grounds in said county, at a cost not to exceed five thousand dollars.

SEC. 2. That for the purpose of paying the indebtedness thereby incurred, the county commissioners of Butler county, Ohio, be and they are hereby authorized and empowered to issue bonds of said county, in such denominations as to them may seem proper, to the amount of five thousand dollars, bearing interest at a rate not greater than six per cent., and payable as follows: Twenty-five hundred dollars on the first day of September, 1884, and twenty-five hundred dollars on the first day of September, 1885.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 14, 1884.

[Senate Bill No. 35.]

AN ACT

To enable the trustees of the monumental association of Muskingum county, Ohio, to borrow money by bond or mortgage on real estate.

WHEREAS, In order to erect a monument to the memory of the soldiers and sailors in the late war for the union, the people of Muskingum county, Ohio, have subscribed and paid to the soldiers' and sailors' monumental association of said county, about the sum of six thousand dollars; and

WHEREAS, By a vote of said subscribers to said fund, it was determined to erect a monumental building; and

WHEREAS, In pursuance of the law in such case, made and provided, court of common pleas within and for said county have appointed Gilbert D. Munson, Frederick C. Deitz, James Buckingham, Conrad Stolzenbach, Joseph T. Gorsuch, Thomas W. Gattrell and Frank J. Korte, of the city of Zanesville in said county, trustees of said monumental association; and

WHEREAS, The said trustees have received into their hands said sum of money, and have with five thousand dollars thereof paid one-third of the purchase price of certain real estate within the said city of Zanesville, Ohio, described as follows, to wit:

All of lot twelve (12) in square twelve (12) of the town (now city of Zanesville), as delineated upon the plat, recorded in record of deeds for

said county in book E, page 444, to which reference is here made for greater certainty. Also, all of lot eleven (11) in the same square, which lies south of a line running from a point in the west line of Fifth street, four (4) feet north of the northeast corner of said brick dwelling house of late occupied by Daniel Applegate, west to Court alley, which line will be an extension east and west of the most northerly line of the lot so late occupied by said Daniel Applegate, both of said parcels being the identical premises described as "second parcel" in the deed made by Messrs. Train and Jewett, assignees of Daniel Applegate, to Moses M. Granger, dated the twenty-third day of January, 1883, and recorded in records of deeds for said county, in book 76, page 20, and recently conveyed by the said Granger to the said trustees of the monumental association of said county, for the purpose of erecting thereon a monumental building; and

WHEREAS, The funds in the hands of said trustees are entirely inadequate for such purpose; now, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That said trustees be and they and their successors in office are hereby authorized and empowered to receive contributions and donations and apply the same for the purposes of said trust.

And that said trustees and their successors in said office are hereby empowered and authorized to issue bonds not exceeding in nominal value fifty thousand dollars ($50,000), and to negotiate and sell the same according to law; provided, such bonds shall not be sold for less than their par value, and the proceeds of such sale of bonds shall be applied to the payment of any of the unpaid purchase money for said real estate, the erection or judicious repair and improvement of such monumental building.

Said bonds shall be issued in such form as such trustees or a majority of them may prescribe; but no bonds shall be issued for a less sum than five dollars ($5.00), nor for a greater sum than five thousand dollars ($5,000), and such bonds shall bear interest at a rate not greater than six per centum per annum, payable semi-annually. Said bonds shall be secured by mortgage upon said real estate, or so much thereof as shall be occupied by the building erected thereon; and the interest of such bonds shall be payable out of the rents, issues and profits of said real estate, except so much thereof as shall be necessary for repairs and care and attention to said building, and the judicious insurance of the same; and said bonds shall be redeemed from the same source, unless it becomes necessary to sell said real estate for their redemption in manner hereinafter provided.

Said court of common pleas may, upon good cause shown, on application of a majority of said bondholders representing in amount not less than one-half of said bonds, appoint a receiver who shall, after giving such bond as the court may prescribe and approve, take charge of said realty and manage it under control of said court so long as the court shall deem such management judicious, looking to the interest of said bondholders; and if said bonds are due and unpaid, shall order said real estate to be sold, and the proceeds thereof applied to the payment of said bonds; but such proceedings shall not give any bondholder any priority or precedence over any other bon holder; and such proceedings shall not suspend the powers of such trustees further than is necessary in carrying out the objects and purposes of such receivership.

The principal of said bonds shall be payable in thirty years after their date; redeemable after ten years from their date, at the pleasure of the said trustees.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 14, 1884.

[House Bill No. 220.]

AN ACT

To authorize and empower the county commissioners of Monroe county to borrow money and issue bonds for the relief of persons in Monroe county who suffered by the late flood.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Monroe county are hereby authorized and empowered to borrow for and on behalf of said county, a sum of money not exceeding twenty-five thousand dollars ($25,000), for the purpose of assisting and relieving those who have suffered by the late flood in said county, and to distribute or apportion the same to the towns, township authorities of said county wherein such have suffered, in proportion to the number of persons, their wants, necessities and suffering in said places from said cause, and such authorities may expend the same for the aforesaid purposes as they may determine.

SEC. 2. The commissioners aforesaid are hereby authorized and empowered to issue and negotiate the bonds of said county for the sum borrowed as aforesaid, which shall bear interest at the rate of not more than six per centum per annum, payable semi-annually, and shall be due and payable ten years after the date thereof, or sooner, as said commissioners may determine, and the same shall be negotiated at not less than par.

SEC. 3. For the payment of the bonds issued as aforesaid, the faith and credit of said county are hereby pledged, and the county commissioners of said county are authorized and empowered to make such other and further additional levies of taxes as may be necessary or required to pay the same.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 15, 1884.

[House Bill No. 5.]

AN ACT

To authorize the board of education of Beverly village school district to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Beverly village school district, of Beverly, Washington county, Ohio, be and is hereby authorized to transfer permanently the sum of nine hundred and eighty-four dollars and twenty-nine cents ($984.29) from the building fund of said school district to the contingent fund thereof.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 18, 1884.

[Senate Bill No. 9.]

AN ACT

To amend section two of an act entitled "an act to authorize the commissioners of Hamilton county to build a bridge across the Great Miami river, and abutments, piers, fills and approaches in Miami and Whitewater townships in said county, and to levy a tax for that purpose," passed April 12, 1883. (O. L. v. 80, p. 338).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two of the above recited act be so amended as to read as follows:

Section 2. For the purpose of raising money to defray the expenses of constructing said bridge said commissioners are authorized and empowered to issue bonds of said Hamilton county, at not less than their par value, in sums not less than one thousand dollars ($1,000) each, bearing interest at a rate not to exceed six per cent. per annum, payable semi-annually, not to exceed in the aggregate the sum of eighty thousand dollars ($80,000), said bonds to be negotiable and payable within ten years from the date of their issue. All surplus left after paying for constructing said bridge, abutments, piers, fills and approaches, may be applied under the direction of said commissioners of said county, in grading, macadamizing and graveling a county road from the west end of said bridge to Valley Junction station on the C., I. & St. L. R. R.

SEC. 2. That the original section 2 of said act be and the same is hereby repealed.

SEC. 3. This act to take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 18, 1884.

[House Bill No. 184.]

AN ACT

To authorize and require the commissioners of Holmes county to build a court house and county offices.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That [the] county commissioners of Holmes county are hereby authorized and required to construct a court house, including public offices, in the public square at the county seat of said county, and a plan shall be determined upon and the contract let according to law, which contract shall require the building to be completed as soon as practicable, at a cost not to exceed seventy-five thousand dollars ($75,000.)

SEC. 2. That the said commissioners shall have no power to make an extra allowance to any contractor for the building of said court house, or any part thereof; nor shall any change or alteration be made which will affect the contract, unless the difference in the cost of said alteration or change be first agreed upon by the said commissioners, and the contractor affected by said change or alteration; and no change or alteration shall be made which will increase the cost of said court house and public offices over the sum of seventy-five thousand dollars.

SEC. 3. That the commissioners of said county, for the purpose of building said court house, are hereby authorized to use the building and the two per cent. funds now in the treasury of said county, a sum not exceeding sixteen thousand five hundred dollars ($16,500), and in addition thereto, to borrow such sum of money as they shall deem necessary, but not to exceed the sum of fifty-eight thousand five hundred dollars, at a rate of interest not to exceed six per cent. per annum, interest payable semi-annually, and to issue bonds of said county to secure the payment of the principal and interest thereon; the principal of said bonds shall be paid at such times as the commissioners may prescribe, within seven years from the date of such indebtedness; said bonds to be sold at not less than their par value; principal and interest to be paid at the county treasurer's office of said county.

SEC. 4. That the bonds so issued shall be signed by the commissioners, or any two of them, and countersigned by the auditor, with or without coupons attached, in sums of not less than fifty nor more than five hundred dollars each, payable to the bearer, at the county treasury, with interest as aforesaid, at such times, not exceeding seven years after their date, as the commissioners may prescribe, and such bonds shall specify the object for which they were issued.

SEC. 5. The commissioners shall, annually, at their March session, levy such amount of taxes as will pay the interest on said indebtedness and at least one-seventh of the principal.

SEC. 6. That said commissioners be and are hereby authorized to remove and dispose of the materials of the old court house and public offices, or sell the same to be removed, at public or private sale as they may deem best, and to furnish suitable accommodation for the public offices and courts of said county during the erection of said new building.

SEC. 7. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 23, 1884.

[House Bill No. 128.]

AN ACT

To relieve the county commissioners of Tuscarawas county.

WHEREAS, At the January term, A. D. 1883, a judgment in favor of one Morgan was rendered in the court of common pleas of Tuscarawas county, against Daniel Kuhn, John H. Beufer and Henry B. Keffer, individually, in the sum of two hundred dollars, and costs and expenses, amounting in all to six hundred and thirty-one dollars and eighty-five cents, on account of damage done to said Morgan by the construction of a fill and approach to a bridge across Sugar creek at Morgan's mill, in Wayne township, of said county; and

WHEREAS, Said fill was made in good faith under the directions of said Daniel Kuhn, John H. Beufer, and Henry B. Keffer, acting in their official capacity as county commissioners, and the same is indispensable and was made after a survey of the road upon which said bridge was built; and

WHEREAS, The said parties should be relieved from the payment of said judgment, costs and expenses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of Tuscarawas county be and he is hereby authorized to draw his warrant in favor of sheriff of said county, upon the county treasurer of said county, for the sum of six hundred and thirty-one dollars and eighty-five cents, to be paid out of any funds in the county treasury to the credit of the general revenue fund, not otherwise appropriated, for the purpose of satisfying said judgment, costs and expenses.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 23, 1884.

[Senate Bill No. 15.]

AN ACT

To authorize the county commissioners of Mahoning county to issue bonds for building a bridge across the Mahoning river in the city of Youngstown.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Mahoning county be, and they are hereby authorized and empowered, if in their judgment the same ought to be done, to build a bridge across the Mahoning river, in the city of Youngstown, at the north end of West avenue, so as to connect said West avenue with Stull street on the north side of said river and opposite to said West avenue, and to construct the necessary approaches thereto, and for the purpose of building said bridge and constructing said approaches, said bridge and approaches to cost not more than twenty-five thousand dollars, said commissioners are hereby empowered to issue the bonds of said county not to exceed ten thousand dollars ($10,000), in sums not less than

one hundred or more than five hundred dollars, and payable at such times as they may deem most advantageous, not exceeding five years from the date of their issue, and to negotiate and sell the same, according to law; but the interest upon such bonds shall not exceed six per cent. per annum, nor shall they be sold for less than their par value.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[Senate Bill No. 26.]

AN ACT

To authorize the commissioners of Clermont county to issue bonds and levy taxes for the purpose of completing infirmary building, erecting outbuildings on infirmary farm, and other improvements thereon

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Clermont county be and they are hereby authorized to issue bonds in the sum of ten thousand dollars, in addition to the amount now authorized by law, for the purpose of defraying the cost of completing the infirmary building now in process of erection, for furnishing and equipping said infirmary building, for constructing necessary outbuildings, and improvements on infirmary farm.

SEC. 2. Said bonds may be in denominations of not less than fifty nor more than five hundred dollars, and shall bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, and have such interest warrants or coupons attached thereto as the commissioners of said county may direct. Said bonds shall be made negotiable and transferable and be due and payable at such time not exceeding eight years, and in such amount or amounts per annum as the commissioners may determine, with interest and principal payable at the office of the treasurer of said county, and shall be sold on the terms prescribed by the law "providing for the sale of public bonds," passed March 22, 1883, and no expense shall be incurred for brokerage or commissions in the sale of said bonds, and said bonds shall be issued and signed by the commissioners and countersigned by the county auditor of said county, who shall keep and preserve a record of each bond so issued in a book provided for that purpose.

SEC. 3. That the said county commissioners of Clermont county, for the purpose of paying the interest on said bonds, and the principal of the same as they become due, be and they are hereby authorized and required to levy a tax in addition to the taxes now authorized by law, on the taxable property of said county, to be collected as other taxes, and to be applied to the payment of the principal and interest of said bonds, as they mature, and said tax shall be for such an amount not exceeding ten thousand dollars and the interest accruing thereon, as may be necessary to redeem said bonds and pay the interest accruing

thereon, in accordance with the terms upon which said bonds may be issued by authority of the commissioners as provided in this act. And the said commissioners are hereby invested with all the power that may be necessary to carry into effect, fully and completely, the provisions of this act.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[Senate Bill No. 41.]

AN ACT

To transfer certain funds in the village treasury of New Lisbon, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of New Lisbon, Columbiana county, Ohio, be and hereby are authorized to transfer, from the cemetery fund to the water works fund of said village, the sum of twelve hundred dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[Senate Bill No. 64.]

AN ACT

To authorize the commissioners of Muskingum county to build a bridge across the Muskingum river.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Muskingum county, Ohio, be and they are hereby authorized and empowered to build a bridge across the Muskingum river, as nearly at right angles with the current thereof as may be practicable, from a point on the east bank of said river immediately below "the old Henderson warehouse" (so known and called), as near said point as practicable in the village of Gaysport, in said county, to a point on the opposite bank of the river, as near the ferry landing as practicable.

SEC. 2. Said bridge shall be built in a permanent and substantial manner of iron or such other material as said commissioners may deter-

mine, and it shall have a double track. But before the construction shall be undertaken the said commissioners shall submit the plans of said bridge to the board of public works of the state, and receive from said board its approval thereof.

SEC. 3. The said commissioners shall have power to borrow such sum or sums of money as may be necessary to build said bridge, and to issue the bonds of said county for the payment thereof dollar for dollar, which said bonds shall be in such sums and payable at such times, not exceeding fifteen years from the date thereof, as said commissioners may determine, and shall bear a rate of interest not exceeding six per centum per annum, payable semi-annually.

SEC. 4. That to pay the interest on said bonds, as the same shall accrue, and the principal of said bonds as the same shall mature, the said commissioners are hereby further authorized and empowered to levy a tax on all the taxable property on the tax duplicate of said county not exceeding one and one-half mills on the dollar in any one year.

SEC. 5. Said commissioners, before determining upon a plan or the material for the construction of said bridge, may call to their aid a competent engineer to furnish plans and prepare drafts and specifications for the same, and the work of building said bridge may be done, either under the supervision of the said commissioners, or an engineer to be appointed by them, and who shall be subject to their orders, as they may elect.

SEC. 6. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 80.]

AN ACT

To authorize the council of the village of Wadsworth, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Wadsworth, Medina county, Ohio, be and they are hereby authorized to transfer the sum of one thousand three hundred and seventy-eight dollars and fifty-two cents ($1378.52) from the fire department and the water rent fund, to such other fund in said village as may by said council be deemed judicious.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 99.]

AN ACT

To authorize the commissioners of Seneca county to expend an additional sum of money to complete the Court House building in said county, and to heat and furnish the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Seneca county be and they are hereby authorized to expend in the completion of the court house building in said county, and providing steam heating, office and court-room furniture, and for other needful and legitimate expenditures connected with the building, a sum not exceeding thirty thousand dollars in addition to the amount heretofore authorized to be expended by said commissioners in the erection of a court house.

SEC. 2. That the commissioners of said county, to effect the objects named in section one of this act, may borrow such sum or sums of money as they may deem best, not exceeding the said sum of thirty thousand dollars, and for the payment of which they may issue and negotiate the bonds of said county, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually; principal and interest payable at the county treasury of said county, or in the city of New York, and at such time or times as the commissioners may determine, not to exceed ten years from the date of such bonds; and said bonds shall not be sold at less than the par value thereof, and accrued interest at time of sale.

SEC. 3. That the bonds so issued, shall be signed by the commissioners, or any two of them, and countersigned by the auditor of the county, with interest coupons attached, and in sums not less than fifty, nor more than one thousand dollars, each payable to the bearer, and shall specify distinctly the purpose for which they were issued.

SEC. 4. The county commissioners shall annually, at the June session, levy such an amount of taxes as will pay the interest, and not less than one-tenth of the principal of the bonds issued and negotiated under this act each year.

SEC. 5. This act to take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 103.]

AN ACT

To divide Harrison township, Montgomery county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Harrison, in the county of Montgomery, be and the same is hereby divided into two election precincts, as follows:

The first shall be called west precinct, and shall consist of all that part

of said township lying west and south of Wolf creek; and the second shall consist of all that part of the township lying north and east of Wolf creek, and be known as north precinct.

SEC. 2. This act shall be in force and take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 112.]

AN ACT

To amend section 4 of the act entitled "an act to provide for indexing the land records of Greene county."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section four of the act entitled "an act to provide for indexing the land records of Greene county," passed April 14, 1879, be so amended as to read as follows:

Section 4. The county commissioners may contract for making said records, at a rate not exceeding six cents for each name indexed, including description, which shall be paid by the county treasurer, upon the allowance of the county commissioners, upon the warrant of the county auditor; provided, that said board of county commissioners shall not pay an increase for work already done under the original act to which this is an amendment.

SEC. 2. The said section 4 hereby amended is repealed.

SEC. 3. This act shall take effect from the day of its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 236.]

AN ACT

To authorize the council of the incorporated village of Coshocton to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Coshocton, in the county of Coshocton, is hereby authorized to transfer from the building and police funds of said village to the sewer fund thereof, the sum of nine hundred dollars, as follows: Six hundred dollars from the building fund, and hree hundred dollars from the police fund thereof.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 258.]

AN ACT

To authorize and empower the commissioners of Jefferson county to borrow money and issue bonds for the relief of sufferers in Jefferson county by the recent floods.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Jefferson county are hereby authorized and empowered to borrow for and on behalf of Jefferson county, a sum of money not exceeding six thousand dollars ($6,000) for the purpose of relieving those who have suffered by the recent flood in said county, and to distribute the same to the city, town and township authorities of said county, in proportion to the wants, need and suffering of such persons in said places and from such cause, in the discretion of said commissioners; and such authorities shall distribute the same as necessity requires, and to reimburse such cities, towns and townships for any amount taken from the treasuries of such cities, towns and townships, already necessarily distributed in relieving the wants, needs and suffering caused by said flood.

SEC. 2. Said commissioners are hereby authorized and empowered to issue bonds of said county for the sum borrowed, not exceeding six thousand dollars ($6,000), with interest at not more than six per cent. per annum, payable semi-annually; such bonds shall be due and payable two years after date, or sooner, as said commissioners may determine, and negotiate the same at not less than par. Said commissioners shall make any further, other, or additional levy of taxes as they may deem proper for the payment of the same. Said bonds shall be signed by the commissioners and countersigned by the auditor, and shall be in sums not less than one hundred, nor more than one thousand dollars, each, payable to bearer at the county treasury of said Jefferson county, with interest as aforesaid, and shall be sold to the highest bidder, after being advertised three times daily in two newspapers having a general circulation in said Jefferson county. If any surplus shall remain from the sale of said bonds, after relieving said wants, necessities and suffering, the same shall be transferred to the general revenue fund of the county by said commissioners.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 171.]

AN ACT

To authorize the county commissioners of Carroll county to build a court house and jail, and to issue bonds for that purpose; to transfer certain county funds, and sell the old county jail property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Carroll county, Ohio, be and they are hereby authorized to build a court house and jail at Carrollton, in said county, at a cost not exceeding one hundred and ten thousand dollars, and for that purpose are hereby authorized to transfer from the county fund, to the building fund, any surplus of such county fund, and also issue bonds of said county not to exceed eighty-five thousand dollars, to bear interest not exceeding six per centum per annum, payable semi-annully, which bonds shall be paid at such times as the said county commissioners may prescribe, not exceeding twenty years from the date of issue, and shall not be sold for less than their par value. The bonds so to be issued shall be signed by the commissioners, or any two of them, and countersigned by the county auditor, and shall be in sums not less than one hundred dollars nor more than one thousand dollars, and payable to bearer, with interest as aforesaid, at the county treasurer's office in the said county.

SEC. 2. The county commissioners shall, annually, at their June session, levy such tax upon the taxable property of said Carroll county as will pay the interest upon bonds so issued and also provide a fund to pay the principal of said indebtedness.

SEC. 3. The county commissioners of Carroll county are by this act authorized and empowered to sell at such price as they deem best, at public or private sale, the jail property at Carrollton, bounded as follows, to wit: Lots Nos. 33 and 34 of Atkinson and McCort's addition to Carrollton, and deeds in fee simple execute to the purchaser or purchasers, and the proceeds of such sale apply in payment of any debt arising in the construction of the court house and jail herein authorized to be built.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[House Bill No. 196.]

AN ACT

To authorize the village of Marysville, Union county, Ohio, to issue bonds for the purpose of constructing gas works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the incorporated village of Marysville, Union county, Ohio, be and is hereby authorized for the purpose of raising money for the construction of gas works for said village, for the manufacture of coal gas, as provided

by resolution of the council of said village, and as approved and authorized by a vote of the citizens of said village at an election held September 3, 1883, to issue and sell the bonds of said village not exceeding twenty thousand dollars in amount, in denominations of one thousand dollars each, signed by the mayor and clerk of said village. Said bonds to be dated March 1, 1884, and to be due and payable as follows, to wit: Bond No. 1, to be due March 1, 1890, and the balance to be due one each every six months thereafter, until paid.

Said bonds to bear interest not exceeding five per cent., payable semi-annually, and shall sell for not less than par value. The issuing and sale of said bonds shall be in accordance with said resolution and said votes of said citizens, expressed as aforesaid, September 3, 1883.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 26, 1884.

[Senate Bill No. 81.]

AN ACT

To divide Gilead township, Morrow county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Gilead, in the county of Morrow, be and the same is hereby divided into two election precincts, as follows: the first shall be called the first precinct, and shall be composed of the whole of said Gilead township, lying north of the center of the road running from Mt. Vernon to Marion, through the north public square of Mt. Gilead [that part of said road lying within the limits of said village being known as High street and West High street.]

The second shall consist of the balance of the territory of said Gilead township, and shall be known as the second precinct.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[Senate Bill No. 86.]

AN ACT

To authorize the trustees of Athens township, Athens county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Athens township, Athens county, are hereby authorized to transfer any surplus funds, not exceeding one thousand dollars, from the general township fund in the treasury of said township to the road fund therein.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[Senate Bill No. 87.]

AN ACT

To allow the commissioners of Paulding county to change the location of an improved county road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Paulding county be and they are hereby authorized to change that portion of the route of the Cecil and Antwerp improved road, in Crane township, in said county, described as follows: Commencing at stake No. 5250 and running south about four hundred and ten feet to the north line of section fifteen, in said Crane township; thence running east on said north line of section fifteen, to the Cecil, Paulding and Antwerp improved road, and there to terminate. And that the original line of said Cecil and Antwerp improved road, as located from said stake No. 5250, and running to the Cecil, Paulding and Antwerp improved road, be and the same is hereby abandoned.

SEC. 2. That so much of the assessments for the improvement of the Cecil and Antwerp improved road as have heretofore been made upon that portion to be changed and abandoned by this act, shall be used for the construction of the road on the line of the new route, and no additional expense shall be assessed against the county or the residents along the new line for the construction of this proposed road.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[Senate Bill No. 103.]

AN ACT

For the relief of the sufferers of the late flood.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of affording relief to the sufferers of the late flood, the county commissioners of Clinton county are hereby authorized to borrow such sum of money as they may deem best, not exceeding twenty-five hundred dollars ($2,500), and to issue the bonds of the county for the purpose of paying said indebtedness, dollar for dollar; said bonds shall be in such sums and payable at such times, not exceeding two years from the date thereof, as said commissioners may determine, and shall bear a rate of interest not exceeding six per centum per annum, payable annually.

SEC. 2. That to pay the principal and interest of said bonds, the commissioners are hereby authorized to levy a tax upon all taxable property of said county, sufficient for that purpose.

SEC. 3. The money borrowed under the provisions of this act shall be expended by the county commissioners for the purpose herein named.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[House Bill No. 107.]

AN ACT

To authorize the trustees of Jasper township, Fayette county, Ohio, to divide said township into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Jasper township, Fayette, county, Ohio, be and they are hereby authorized and empowered to divide said township into two election precincts, as said trustees may deem proper.

SEC. 2. When such division shall have been made, the said trustees shall give notice by hand-bill in each of said precincts and also in one or more newspapers printed in the county of Fayette, that such division has been made, and also of the boundaries of each of said precincts, which said notice shall be given at least twenty days before the first election next to be held in said township after such division.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[House Bill No. 126.]

AN ACT

To authorize the county commissioners of Tuscarawas county, Ohio, to issue bonds to complete and furnish the court house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Tuscarawas county, Ohio, for the purpose of raising money to complete and furnish the court house in New Philadelphia, Tuscarawas county, Ohio, be and they are hereby authorized and empowered to borrow such sum or sums of money as they shall deem necessary, but in the aggregate not to exceed thirty five thousand dollars, at a rate of interest not to exceed six per cent. per annum, and issue bonds of said county to secure the payment of the principal and interest thereon; such interest shall be paid semi-annually and the principal shall be paid at such times as the commissioners may prescribe, within sixteen years from the date of such indebtedness; said bonds to be sold at not less than their par value.

SEC. 2. That the bonds so issued shall be signed by the commissioners, or any two of them, and be countersigned by the auditor, in sums of not less than one hundred dollars, nor more than one thousand dollars, with coupons attached payable to the bearer at the county treasury of said county, with interest as aforesaid.

SEC. 3. The commissioners of said county shall, annually, at their June session, levy such tax as will pay the interest on such indebtedness and the principal as it may mature, not to exceed ten thousand dollars in any one year.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Spcaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[House Bill No. 127.]

AN ACT

To authorize and require the commissioners of Tuscarawas county to complete the Tuscarawas children's home.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of completing the children's home in Tuscarawas county, the county commissioners of said county be and they are hereby authorized to borrow a sum of money not exceeding six thousand dollars, at a rate of interest not exceeding six per cent. per annum, and issue bonds of said county to secure the payment of the principal and interest thereon; such interest shall be paid semi-annually, and the principal shall be paid at such times as the commissioners of said county may prescribe within ten years from the date of such indebtedness; said bonds to be sold for not less than their par value.

SEC. 2. The bonds so issued shall be signed by the commissioners or

any two of them, and be countersigned by the auditor, with coupons attached, in sums of not less than one hundred dollars, payable to the bearer at the county treasurer's office, with interest as aforesaid, at such times, not exceeding ten years after date, as the commissioners may prescribe.

SEC. 3. The commissioners shall, annually, at their June session, levy such taxes as will pay the interest on such indebtedness and the principal as it matures.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[House Bill No. 158.]

AN ACT

To authorize the board of education of New Philadelphia, O., to borrow money and issue bonds to discharge present liabilities.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the incorporated village of New Philadelphia, Tuscarawas county, Ohio, is hereby authorized and empowered to borrow money and issue bonds therefor in amount not to exceed twenty-five thousand dollars, bearing interest payable annually at a rate not to exceed six per cent. per annum, to be signed by the president of said board and countersigned by the secretary and registered upon the books of the board, to be of such amount each not less than one hundred dollars, and payable at such times not exceeding twenty years from date, as the board may determine, and the proceeds thereof to be used exclusively to pay the interest on, and to redeem at maturity the present outstanding bonds of said board. Said bonds to be sold without compensation or commissions at not less than their par value.

SEC. 2. To pay the interest annually, and the principal at maturity of said bonds, said board of education shall annually levy a tax on all the taxable property of said village and the territory attached thereto for school purposes, sufficient for the purposes aforesaid, to be collected as other taxes.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed February 28, 1884.

[House Bill No. 302.]

AN ACT

To authorize the commissioners of Brown county to issue and sell bonds and levy an additional tax to pay the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Brown county be and they are hereby authorized to issue and sell at either public or private sale, the bonds of said county, not exceeding in amount forty thousand dollars, for the purpose of rebuilding bridges, and reconstructing turnpikes destroyed by the floods of February, 1884. Said bonds shall be issued at such times, and in such sums as said commissioners think proper, and shall run any length of time not exceeding five years, and bear interest not exceeding six per cent. per annum, payable semi-annually, which bonds shall not be sold for less than their par value.

SEC. 2. When any bonds are sold under the provisions of this act the money arising therefrom shall be paid into the county treasury, and credited to the bridge or free turnpike repair fund, as the said commissioners shall order, and shall be expended for the purposes aforesaid in manner provided by law.

SEC. 3. Said commissioners are hereby empowered to levy an additional tax on all the taxable property in said county not exceeding one mill in any one year, for the purpose of paying said bonds and the accrued interest thereon.

SEC. 4. This act shall be in force and take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 5, 1884.

[House Bill No. 284.]

AN ACT

To repeal an act entitled "an act to provide for the better improvement of the roads and public highways in Gallia county," passed March 23, 1883. (O. L., vol. 80, p. 286.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the aforesaid entitled act be and the same is hereby repealed, and that sections 4737, 4738, 4739 and 2830, as amended April, 1880 (O. L. Vol. 77, page 184), and sections 4755, 4756 and 4757 of the revised statutes of Ohio, which by said entitled act were declared inoperative in said county, are hereby declared operative and in full force in said county of Gallia.

SEC. 2. This act shall take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 5, 1884.

[House Bill No. 303.]

AN ACT

To provide for the relief of certain employes of the board of equalization of Cincinnati for 1883, and to provide for the employment of clerks and messengers of the city annual board of equalization of certain cities of the first grade of the first class.

WHEREAS, The board of equalization of the city of Cincinnati for 1883 employed twenty-two clerks and messengers to assist them; and

WHEREAS, By the efforts of said employes between July 7 and August 27, 1883, property not returned for taxation to the extent of about two million dollars was discovered, which otherwise would not have paid taxes, and the public has taken the benefit of said efforts, and has placed said property on the tax duplicate, but has not paid said employes to the extent of one thousand eight hundred and sixty-six dollars ($1,866); now, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That said employment be and the same is hereby validated, and the auditor of Hamilton county is directed to draw his warrants on the treasurer of said county, and the treasurer is required to pay the same when drawn in favor of the persons hereinafter named, out of the county fund, but no such person shall receive an amount greater than that following his name as set forth in the following statement, to wit:

Stephen Sullivan,	43	days, at $3.00	per day	$129 00
G. P. Thorp,	43	"	"	129 00
James McSwyny,	21	"	"	63 00
Thos. Reilly,	43	"	"	129 00
Thos. J. Knight,	3	"	"	9 00
Fred. Pfiester,	43	"	"	129 00
Henry J. Knodel,	43	"	"	129 00
Frank J. Kelly,	21	"	"	63 00
Thos. F. Fay,	43	"	"	129 00
Wm. Schrader,	21	"	"	63 00
F. D. Duffy,	21	"	"	63 00
John Follet,	21	"	"	63 00
Wm. Sullivan,	21	"	"	63 00
Henry C. Hug,	43	"	"	129 00
Oliver L. Hagan,	43	"	"	129 00
Edward N. Wilson,	21	"	"	63 00
F. W. Steigleman,	21	"	"	63 00
Henry Zurlage,	43	"	"	129 00
John Taphorn,	21	"	"	63 00
G. J. Birnbaum,	43	"	"	129 00
Total				$1,866 00

SEC. 2. That said board is hereby authorized to appoint and employ not to exceed fifteen persons, including clerks and messengers, during the time said board is allowed by law to be in session, in addition to which the county auditor shall appoint one person to act as chief clerk of said board; and whenever said board shall employ more than the number of persons aforesaid, it shall be the duty of the prosecuting attorney of the county to collect by civil action, and cover into the county treasury, one hundred and twenty-five per cent. of the amount due such additional person, from the individual members of said board, or from any one of them; such additional persons shall then be paid from such collections upon the warrant of the county auditor.

SEC. 3. That all acts and parts of acts in conflict herewith are hereby repealed. This act to take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 5, 1884.

[House Bill No. 206.]

AN ACT

To authorize the board of education of the village of Bryan, Williams county, Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of the village of Bryan, in Williams county, Ohio, be and are hereby authorized to borrow any sum not exceeding twenty thousand dollars, for the purpose of building and furnishing a school-house in said village, and for securing a site therefor.

SEC. 2. That for the purpose aforesaid, the said board are authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in sums of not less than one hundred dollars, and not more than one thousand dollars, bearing interest at a rate not exceeding six per centum per annum, payable semi-annually; said bonds to be payable at such time or times, not exceeding ten years from the respective dates thereof, as said board may determine; said bonds shall not be sold for less than their par value, and said bonds may, in the discretion of said board, have interest coupons attached.

SEC. 3. That for the purpose of paying the principal and interest of said bonds, said board of education may levy, annually, a tax not to exceed five mills on the dollar of valuation of the property within said district, for ten years, in addition to the levy now authorized by law.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 5, 1884.

[House Bill No. 156.]

AN ACT

To authorize and require the county commissioners of Montgomery county to remove from and abolish any and all toll-gates in [on] the Farmersville and Gettysburg free pike, and to repeal an act passed April 17, 1883, entitled "an act to authorize the county commissioners of Montgomery county to remove a certain toll-gate therein named."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* Tha the county commissioners of Montgomery county be and they are here

by authorized and required to remove and abolish any and all toll-gates in [on] the Farmersville and Gettysburg free turnpike in said Montgomery county.

SEC. 2. That an act entitled "an act to authorize the county commissioners of Montgomery county to remove a certain toll-gate therein named," be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 5, 1884.

[House Bill No. 286.]

AN ACT

To repeal an act entitled "an act to provide for the better improvement of public highways in Knox county."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the aforesaid entitled act be and the same is hereby repealed, and that sections forty seven hundred and thirty-seven, forty-seven hundred and thirty-eight, forty-seven hundred and thirty-nine, twenty-eight hundred and thirty, as amended April 18, 1880 (O. L., v. 77, p. 184), forty-seven hundred and fifty five, forty-seven hundred and fifty-six and forty-seven hundred and fifty-seven of the revised statutes of the state of Ohio, which were declared thereby inoperative in said county, are hereby restored and in full force and effect in said county.

SEC. 2. This act shall be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 5, 1884.

[House Bill No. 238.]

AN ACT

To authorize the township trustees of Liberty township, Hardin county, Ohio, to issue bonds for purposes named herein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Liberty township, Hardin county, Ohio, be and the same are hereby authorized and empowered to execute and sell five bonds of the sum of three hundred dollars ($300) each; said bonds to be signed by said trustees and countersigned by the clerk of said township, and be payable in one, two, three, four and five years from the date of issue, to bear a rate of interest not exceeding six per cent.

SEC. 2. That the proceeds of the sale of said bonds be used in the improvement of the cemetery of said township.

SEC. 3. That the said trustees are hereby authorized and empowered to levy a tax on the general tax duplicate of said township, for the five years during which said bonds run sufficient to meet and pay the same.

SEC. 4. Said bonds shall not be sold for less than their par value.

SEC. 5. This act shall be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 5, 1884.

[House Bill No. 369.]

AN ACT

To authorize the town of Troy, Miami county, Ohio, to borrow money for the purpose of erecting water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Troy, county of Miami, be and it is hereby authorized to borrow money not exceeding eighty thousand dollars ($80,000), for the purpose of erecting water-works for the use of said village, and the council of said village is hereby authorized to issue the bonds of said village for the payment of the money so borrowed, said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and said bonds shall be of such denomination and shall mature at such times as the council shall determine; provided, that said bonds shall not be sold for less than their par value.

SEC. 2. That said council of said village is hereby authorized to levy a tax on all the taxable property within the corporate limits of said village, in addition to the taxes now authorized by law, to pay said bonds, together with the interest thereon, as they shall become due, which levy shall be placed upon the tax duplicate of said county, and collected as other taxes.

SEC. 3. The water-works trustees of said village are hereby authorized to accept the lowest and best bid received for the construction of said works; provided, said trustees have, prior to the passage of this act, fully complied with section 2419 of the Ohio revised statutes (1880); and for the purpose of carrying out more fully the provisions of this act, said council or board of water works trustees shall not be governed in the execution thereof by section 2683 nor by section 2702 of the revised statutes.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 5, 1884.

[House Bill No. 308.]

AN ACT

To authorize the trustees of the Bellaire cemetery association to sell a portion of their lands.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the Bellaire cemetery association of Bellaire, Belmont county, Ohio, be and are hereby authorized to sell and convey any portion of their lands unsuitable for burial purposes.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 7, 1884.

[House Bill No. 372.]

AN ACT

To authorize the commissioners of Huron county, Ohio, to issue bonds and borrow money.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Huron county, Ohio, are hereby authorized and empowered to issue the coupon bonds of said county in an amount not exceeding fifty thousand dollars ($50,000), in addition to the amount now authorized by law, which bonds shall be of the denomination of five hundred dollars each, and payable as follows: one-fifth of said issue in one year from July 1st, 1884; one-fifth of said issue in two years from July 1st, 1884; one-fifth of said issue in three years from July 1st, 1884; one-fifth of said issue in four years from July 1st, 1884; one-fifth of said issue in five years from July 1st, 1884, which bonds shall bear interest at the rate of six per cent. per annum, payable semi-annually, on the 1st day of July and the 1st day of January of each and every year, until said bonds shall have been paid.

SEC. 2. Said bonds shall have coupons attached thereto, representing the semi-annual interest thereon as it shall become due, and said bonds shall not be sold for less than their par value.

SEC. 3. The commissioners and auditor of said county are hereby constituted a board, and authorized to apportion the money arising from the sale of said bonds, among the several funds of said county in proportion to the requirements thereof, as may be determined by the judgment of said board.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 7, 1884.

[House Bill No. 324.]

AN ACT

To authorize the village council of Canal Fulton, Stark county, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Canal Fulton, Stark county, Ohio, be and is hereby authorized to transfer the sum of two hundred and fifty dollars from the general fund, and two hundred dollars from the sanitary fund of said village, to the street fund. Also said village council is authorized to transfer fifty dollars from the sinking fund to the fire department fund.

SEC. 2. This act shall take effect on its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 7, 1884.

[House Bill No. 179.]

AN ACT

To create a new election precinct in Liberty township, Seneca county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That a new election precinct be created in Liberty township, Seneca county, with boundaries as follows:

Commencing at the north-east corner of said Liberty township, and running west along the line of Sandusky county, to the east line of Jackson township; thence south along said Jackson township line to the two-mile section line; thence east on a line parallel with the Sandusky county line, to the west line of Pleasant township, thence north along said Pleasant township line to place of beginning; said precinct so created to be known as Bettsville precinct, Seneca county, Ohio.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 7, 1884.

[House Bill No. 210.]

AN ACT

To authorize the incorporated village of Bluffton, Allen county, Ohio, to borrow money and issue bonds for certain purposes therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Bluffton, Allen county, Ohio, be

and the same is hereby authorized to purchase ground, build an engine house and purchase a fire engine, in and for said village, and to raise money for that purpose, not exceeding seven thousand dollars ($7,000), in the manner hereinafter provided.

SEC. 2. The council of said village are hereby authorized to issue bonds not exceeding in amount the sum of seven thousand dollars ($7,000), which may be used in payment of grounds, material, work and labor, to be performed in the building of said engine house, and to purchase a fire engine for the use of said village, and said bonds shall not be sold for less than the par value thereof, and the proceeds of such sale shall be applied to said purpose.

SEC. 3. Said bonds as aforesaid authorized to be issued, shall be signed by the mayor of said incorporated village, and countersigned and registered by the clerk of said village, and may be issued in denominations of not less than one hundred dollars or more than five hundred dollars, bearing interest at the rate of six (6) per cent. per annum, payable annually. The principal and interest to be paid in three, four, five, six, seven, eight and nine years from the time of issuing said bonds, and in such amounts each year as the council of said village may direct.

SEC. 4. For the payment of the principal and interest of said bonds as the same shall become due, the council of said village is hereby authorized and required to levy a tax on all taxable property within the corporate limits of said village, in such amounts as will each year meet the principal and interest then falling due upon said bonds, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SEC. 5. Before the council of said village shall have the right to issue said bonds, the question of issuing the same shall be submitted to the qualified electors of said incorporated village at a regular or special election called by said council of said village, of which at least ten days' notice shall be given by publication in any newspaper published within the limits of said village, of the time and place of holding such election, and if two-thirds of the electors voting at said election on said question shall vote in favor of the same, then, and not otherwise, shall the council of said village be authorized to issue said bonds as hereinbefore provided. Those voting in favor of the proposition shall have written or printed on their ballots, "For the issue of bonds—Yes;" and those voting against the proposition shall have written or printed on their ballots, "For the issue of bonds—No."

SEC. 6. Said election shall in all respects not otherwise herein provided, be held the same as municipal elections are now required by law to be held in said incorporated village.

SEC. 7. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 7, 1884.

[House Bill No. 227.]

AN ACT

To divide Paris township, Union county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Paris, in the county of Union, be and the same is hereby divided into two election precincts, as follows: The line dividing said precincts shall begin where the Marysville and Pharisburg gravel road crosses the north line of said township; thence southerly with said road to Main street in the village of Marysville; thence southerly with said Main street to the track of the Cleveland, Columbus, Cincinnati and Indianapolis railway; thence westwardly along the track of said railway to the Marysville and London gravel road; thence southwardly along said last named road, to the south line of said township. The territory lying east of said line shall be known as the eastern precinct, and the territory lying west of said line shall be known as the western precinct.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 7, 1884.

[House Bill No. 259.]

AN ACT

For the relief of John A. Murlin, of Union township, Mercer county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That John A. Murlin, treasurer of the village school district of Mendon, Mercer county, Ohio, and his bondsmen, as such treasurer, are hereby released, and forever discharged from the payment of the sum of four hundred dollars of the school funds of said district, or such part thereof as was stolen from said treasurer in the year A. D. 1884.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 7, 1884.

[Senate Bill No. 144.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to provide for the deficiency in the county funds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Clermont county, Ohio, for the purpose of

meeting and providing for a deficiency in the county funds of said county, are hereby authorized and required to issue bonds in an amount not exceeding $20,000. Said bonds shall bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, and shall be of such denominations, from fifty dollars ($50) to five hundred dollars ($500), each, and shall be due and payable at such times not exceeding five years, as the commissioners may determine.

SEC. 2. Said commissioners of Clermont county, shall provide for the payment and redemption of the bonds provided for in section one of this act, and for that purpose they are hereby authorized and required to levy annually a tax not exceeding one-half of one mill on the dollar on all the taxable property of said county, in addition to the taxes now authorized by law, and said levy shall not extend beyond the period of five years, beginning with the year 1884.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[Senate Bill No. 116.]

AN ACT

To authorize the transfer of certain funds in the village treasury of the incorporated village of Marion, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Marion, Marion county, Ohio, be and the same is hereby authorized and empowered to transfer the sum of fifteen hundred dollars from the general fund to the street improvement fund of said village, also to transfer from the marshal and police fund of said village the sum of twenty-five hundred dollars to the street improvement fund.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[House Bill No. 221.]

AN ACT

To authorize the village council of the incorporated village of Lorain, Lorain county, Ohio, to issue bonds for the purpose of providing said village with a system of public water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Lorain, Lorain county,

Ohio, be and the same is hereby authorized to issue the bonds of said village in the sum not exceeding fifty thousand dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, payable semi-annually, for the purpose of providing said village with a system of public water-works.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk thereof; said bonds shall not be sold for less than their par value, and shall be issued in such amounts respectively as will, in the judgment of the council of said village, best subserve the sale thereof, and at such times and in such amounts as may be deemed necessary by said council for the proper progress of the work. The principal shall be payable at such times as the council of said village may determine by ordinance, within a period not exceeding thirty years; and said village council is hereby authorized to levy a tax upon all taxable property of said village to pay said bonds and interest thereon, not to exceed four mills on the dollar in any one year.

SEC. 3. For the purpose of more fully carrying out the provisions of this act, the council of the incorporated village of Lorain, and the clerk thereof, are not required in the execution of the same to be governed by section 2702 of the revised statutes.

SEC. 4. The funds realized from the sale of said bonds shall be used by the council of said village for the purpose of purchasing the necessary grounds and erecting, constructing, paying for and maintaining water-works for said village, which water-works, when completed, shall be used, operated and controlled in such manner as may be prescribed by law, and the ordinances of said village enacted in conformity therewith.

SEC. 5. The question of issuing said bonds, levying said tax, and of erecting and constructing said water-works for said village of Lorain, shall be submitted to a vote of the qualified electors of said village, at the regular spring election, to wit: On the first Monday of April, A. D. 1884, or at a special election, as the council may determine, at the usual place of holding elections in said village. The tickets to be voted at said election in said incorporated village shall have written or printed thereon the words "Water-works—Yes;" or, "Water-works No;" and a majority vote at said election shall authorize the issue of said bonds, the levy of said tax, and the construction of said water-works; ten days' previous notice thereof shall be given by publication in one newspaper published in said village.

SEC. 6. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[House Bill No. 258.]

AN ACT

To authorize the village council of the incorporated village of Medina, Medina county, Ohio, to issue bonds for the purpose of building a vault in Spring Grove cemetery, situated within the limits of said incorporated village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Medina, Medina county

Ohio, be and the same is hereby authorized to issue the bonds of said village in the sum not exceeding twenty-five hundred dollars, bearing interest at a rate not exceeding six per cent. per annum from the date of issue, interest payable semi-annually, for the purpose of building a vault in Spring Grove cemetery, in said incorporated village of Medina.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village; said bonds shall not be sold for less than their par value, and shall be issued in such amounts, respectively, as will in the judgment of the council best subserve the negotiation and sale thereof; the principal shall be payable at such time as the council of said village may determine by ordinance within a period not exceeding twenty years, and said village council is hereby authorized to levy a tax upon all the taxable property of said village, to pay said bonds and interest, not exceeding two mills on the dollar in any one year.

SEC. 3. The funds realized from the sale of said bonds, shall be used by the council of said village for the purpose of building a vault in Spring Grove cemetery, as provided in section one of this act; and said vault when built shall be controlled in such manner as may be prescribed by law and the ordinances of said village.

SEC. 4. This act shall take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[House Bill No. 283.]

AN ACT

To amend an act "to authorize the trustees of Pleasant township, Logan county, to purchase additional cemetery grounds for said township, improve the same, and levy additional tax to pay for the same." Passed March 15, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Pleasant township, Logan county, are hereby authorized and required to levy a tax on all the taxable property of said township, not to exceed five hundred dollars, for purchasing additional ground to enlarge Moor's cemetery, in said township, and to make the same a township cemetery; provided, that no part of said funds shall be used to pay any debt of said township heretofore contracted.

SEC. 2. The tax levied by said trustees under the authority of this act shall be returned to the auditor of said county and placed on the duplicate of said township, and collected as other taxes, and when so collected shall be paid to the treasurer of said township, and by him disbursed for the purposes aforesaid, on the order of said trustees.

SEC. 3. Before this act shall take effect or be in force the proposition to make said purchase and levy said tax shall be submitted to the qualified electors of said township at the regular spring election, to wit: on the first Monday in April, 1884; notice shall be published by posting notice of the same for at least ten days prior to said election, in at least

five public places in said township. The tickets to be voted at said election shall have written or printed thereon, "Moor's cemetery improvement—Yes;" "Moor's cemetery improvement—No;" and a majority vote at said election shall decide the question.

SEC. 4. This act shall take effect and be in force from and after its passage; and said original act, passed March 15, 1883 (O. L., p. 272), is hereby repealed.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 11, 1884.

[House Bill No. 223.]

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a free turnpike road from Georgetown to Sardinia, in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Brown county, Ohio, be and they are hereby authorized to construct a free turnpike road from Georgetown by way of Brownstown to Sardinia, in said county, on the line of the existing dirt road between said points, or as near thereto as to them may be deemed practicable, and of the greatest public utility and convenience.

SEC. 2. Upon the presentation to said county commissioners of a petition praying for the construction of said turnpike, signed by twenty-five or more landholders along the line of said road, it shall be the duty of said county commissioners to specify and determine the character of the turnpike to be constructed, and to appoint three disinterested freeholders of said county as viewers of the proposed route, and also a competent surveyor or engineer to straighten, lay out, and locate said turnpike road as nearly in accordance with the prayer of said petition as may be practicable, and as may seem most conducive to the public convenience and utility. And said viewers and engineer shall perform said duty as directed by the said commissioners, and shall make a just and true estimate of the cost and expenses of locating and constructing said turnpike, and shall make a report of their proceedings duly verified by them, to said commissioners, at such time as they shall direct.

SEC. 3. That said county commissioners, if they approve said report and find, upon due proof submitted to them, that the said proposed improvement will be of public utility, and if those directly interested in such improvement shall pay, or secure to be paid, to said commissioners a sum equal in amount to twenty per cent. of the cost of said improvement as so reported by said viewers and engineers, shall, by an order entered of record, locate and establish the line of said turnpike, and shall duly proceed to carry into execution the construction of said turnpike, and shall in respect to the appropriation of lands and materials for the construction of said turnpike, and in respect to the letting of contracts for work thereon, be governed in all respects by the provisions contained in title six and chapter eight of the revised statutes of Ohio, in relation to "two-mile assessment turnpikes."

SEC. 4. The said county commissioners may, if they deem it best, issue the bonds of the county for the construction of said road, bearing six per centum interest per annum, payable semi-annually, which bonds shall not be sold at less than par, and the time for the payment of which shall not be extended beyond ten years.

SEC. 5. That for the purpose of paying for the construction of said turnpike, or for paying the said bonds that may be issued as aforesaid, the county commissioners of said county shall levy and assess a tax not exceeding one mill on the dollar, annually, on all taxable property in said county, until said debt shall be extinguished.

SEC. 6. The compensation of persons employed under this act, shall be fixed by the county commissioners, and shall not exceed three dollars per day, but the surveyor or engineer, and the county auditor, shall receive such compensation for their services, respectively, as is fixed by law for such services in similar cases.

SEC. 7. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 13, 1884.

[Senate Bill No. 97.]

AN ACT

To authorize the city council of Canton, Stark county, Ohio, to remove the bodies remaining in the old cemetery, corner of Plum and South streets, and appropriate the ground to another purpose for the benefit of said city.

WHEREAS, Bazalell Wells, original proprietor of the town of Canton, Stark county, did, on the eighth day of July, 1823, grant and convey in fee simple, and without any reversionary conditions, right or interest to the said town of Canton, for the use and enjoyment of the same, a certain lot situate in and being part of the original plat of said town of Canton, not numbered, but bounded and described as follows: On the north by Tenth street, on the east by Plum street, on the south by South street, and on the west by an alley thirty feet in length—now called Wells street—containing an acre, more or less, and marked on the original plat, as recorded of said town of Canton, "Graveyard;" and

WHEREAS, Said lot has for many years been abandoned for burial purposes, interments therein being prohibited by an ordinance of said city of Canton; and

WHEREAS, Nearly all the bodies have been removed therefrom; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of Canton be and is hereby authorized and empowered to appropriate said cemetery lot for other purposes for the use and benefit of said city, conditional, that the fee and title of said lot remain in the city.

SEC. 2. Before said lot be appropriated, thirty day's notice shall be given by publication in two different papers of the city of the intention to remove the bodies that remain in said lot. At the expiration of said notice the council may proceed to have the bodies remaining in said lot carefully and separately disinterred, so far as practicable, and separately re-interred, in a proper and becoming manner, in some cemetery in the vicinity of Canton, and all monuments, tombstones or other grave marks erected to their memories shall be removed and again set up properly over the respective remains in the new place of interment.

SEC. 3. Before removing the bodies and appropriating said lot for other purposes, as provided by this act, the city council shall submit the question of such removal and appropriating of said lot, to the electors of the city of Canton at a regular municipal election. The ballots shall have written or printed thereon, "Removal of graveyard—Yes;" "Removal of graveyard—No."

Notice of submitting such question at such election shall be published for at least two weeks in two of the leading newspapers printed in the city of Canton, and if two-thirds of the ballots of the electors voting upon said question, when cast, shall have on them "Removal of graveyard—Yes," then said council may proceed to execute the other provisions of this act; otherwise, not.

SEC. 4. This act shall be in force from and after its passage.

L. A. BRUNNER,
Speaker pro. tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 13, 1884.

[House Bill No. 108.]

AN ACT

To authorize the city of Cleveland to issue bonds to provide means to build a bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city of Cleveland is hereby authorized to issue bonds to an amount not exceeding forty-five thousand dollars, to provide means to construct a bridge across the Cuyahoga river between the Seneca and Columbus street bridges in such city.

SEC. 2. That such bonds shall mature at such times, not exceeding twenty years, and bear interest at such rate, not exceeding six per cent. per annum, as the city council of such city may determine, and the proceeds of such bonds, when sold, as provided by law and ordinance, shall be used for the purpose expressed in this act till such purpose is accomplished, and the surplus, if any, shall be applied as directed in section twenty-seven hundred and ten of the revised statutes.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 13, 1884.

[House Bill No. 147.]

AN ACT

To authorize the transfer of funds arising from a compromise with the sureties of John R. Helman and Jacob B. Koch, late treasurers of Wayne county, under the provisions of an act of the general assembly of the state of Ohio, passed April 15, A. D. 1880 (77 O. L. p. 403.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Wayne county are hereby authorized to transfer the sum of seven thousand four hundred and ninety-four dollars and fifty-nine cents ($7,494.59), to the bridge fund of said county, said amount being the sum realized from the compromise by the commissioners of Wayne county, with the sureties of John R. Helman and Jacob B. Koch, late treasurers of Wayne county, under the provisions of an act of the general assembly of the state of Ohio, entitled "an act to authorize the commissioners of Wayne county to compromise with the sureties of John R. Helman and Jacob B. Koch, late treasurers of Wayne county," passed April 15, A. D. 1880 (77 O. L. p. 403.)

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 13, 1884.

[Senate Bill No. 88.]

AN ACT

For the relief of the Mercer county agricultural society.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of Mercer county, Ohio, are hereby authorized to borrow, not to exceed four thousand dollars, to be applied only to the purposes of paying the indebtedness of the Mercer county agricultural society, acquiring title to and improving the grounds of said society; and for this purpose to issue the bonds of said county, payable in one, two, three and four years from their date, in equal amounts, and bearing interest at a rate not to exceed six per centum per annum, payable semi-annually, which bonds shall not be sold for less than their par value.

SEC. 2. Said fund shall be under the control of the board of said agricultural society, and shall be set apart and denominated the "Mercer county agricultural fund."

SEC. 3. That the title to said lands and improvements shall be in said county of Mercer, but the control and management thereof shall be and remain in the board of directors of said Mercer county agricultural society so long as the said society shall comply with the rules and regulations of the Ohio state board of agriculture.

SEC. 4. That for the purpose of paying said bonds and the interest thereon as the same shall become due, said commissioners are authorized

to levy, annually, a sufficient tax on the taxable property of said county, in addition to levies now authorized by law.

SEC. 5. This act shall be in full force and effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 13, 1884.

[Senate Bill No. 101.]

AN ACT

To authorize the board of education of Harrison township, Pickaway county, Ohio, to borrow money and issue bonds for the purpose of building school-houses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Harrison township, Pickaway county, Ohio, be and is hereby authorized and empowered, for the purpose of building school-houses in said township, to borrow any sum of money not exceeding six thousand dollars, payable in six semi-annual payments, commencing April 15, 1885, at a rate of interest not exceeding six per cent. per annum, payable semi-annually, and issue bonds therefor. Said bonds shall be signed by the president and countersigned by the clerk of the board, and shall not be sold for less than their par value.

SEC. 2. The said board of education is also empowered to levy a tax annually on all the taxable property of said township, sufficient to pay said bonds with the interest thereon, as they become due, which levy shall be placed on the tax duplicate by the auditor of said county and collected as other taxes.

SEC. 3. This act to take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 13, 1884.

[House Bill No. 421.]

AN ACT

To authorize the county commissioners of Franklin county, Ohio, to issue the bonds of said county for building a new court house and other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Franklin county, Ohio, be and the same are hereby authorized and empowered to issue not to exceed five hundred thousand dollars ($500,000) bonds of said county, to be known and designated as "New court house building bonds," in sums of not less than one hundred nor more than one thousand dollars, each, with or without coupons attached, payable to bearer, at the county treasury of the

said county of Franklin, or at such agency in New York city as may be established by the county commissioners, the name of which agency shall be inserted in said bonds, with interest at the rate of not exceeding six per cent., said interest to be payable semi-annually. And the principal of said bonds to be paid at such times within fifteen years after date, as the county commissioners shall prescribe; said bonds so to be issued shall be for the purpose of procuring the money and means and defraying the cost and expense of erecting a new court house building for said county of Franklin.

Said bonds shall not be sold and disposed of for less than their face value, with accrued interest thereon. Said bonds shall be signed by the said county commissioners, or any two of them, and countersigned by the auditor of said county; provided, that the proposition and policy of erecting and building such new court house building shall be by said county commissioners first submitted to a vote of the voters of the said Franklin county, at the regular annual spring or fall election, for their approval, in accordance with the provisions of the statutes in such case made and provided.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 15, 1884.

[Senate Bill No. 106.]

AN ACT

To transfer certain funds in the incorporated village of Batavia.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of said village of Batavia be and they are hereby authorized and empowered to transfer permanently from the genera fund of said village to the sewer fund therein, the sum of three hundred dollars; also to transfer from the street improvement fund to the sewer fund the sum of one hundred dollars; also to transfer from the police fund to the lighting fund the sum of three hundred dollars; also to transfer from the street improvement fund to the lighting fund the sum of one hundred dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 18, 1884.

[Senate Bill No. 136.]

AN ACT

To authorize the trustees of the township of Defiance, Defiance county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Defiance, Defiance county, Ohio, be and they are hereby authorized to transfer the sum of three hundred and fifty dollars ($350) from the bridge fund to the township fund of said township.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 18, 1884.

[House Bill No. 371.]

AN ACT

To authorize the creation of an additional sub-school district in Bethlehem township, Stark county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the territory embraced within and described by the following boundaries to wit: Beginning at a point in the center of section 20 in said township, thence east on quarter section line through sections 20, 21 and 22, to west bank of the Tuscarawas river; thence northwestwardly along the west bank of said river to the center of section 16, thence north on quarter section line to a point distant thirty rods north of the north line of section 16; thence west and parallel with north line of section 16 to a point on the quarter section line running north and south along west side of southeast quarter of section 8; thence south on said quarter section line to the place of beginning, being a part of the territory now included in sub districts numbered five, six, seven and ten, in said township, be and the same is hereby created and declared an additional sub-school district, and that the same be known as district number eleven.

SEC. 2. The board of education of said township are hereby authorized and required to levy a tax on all the taxable property of said township over which it may have jurisdiction, to be levied at their next meeting in April, for the purpose of purchasing a site and building a school-house and furnishing the same, on said above described territory, the site to be chosen by the local directors of the sub-district, and the house to be ready for occupancy on the fifteenth day of September, 1884; and to anticipate the collection of said tax, the board of education of said township is required to borrow the amount of money so to be realized from said levy, or whatever portion thereof is necessary, at a rate of interest not to exceed six per cent. per annum, and issue bonds

therefor, payable at such times as will correspond with the collection of said tax, which shall, as far as necessary, be applied to pay the same; provided, that said bonds shall not be sold for less than their par value.

SEC. 3. The electors of said sub-district shall, on the day fixed for the annual election of directors in said township, proceed to elect three members of the board of directors of said district, one for one year, one for two years, and one for three years from the third Monday of April, 1884, and one annually thereafter for the term of three years, who shall hold their office for the term specified and until their successors are elected and qualified.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 18, 1884.

[House Bill No. 451.]

AN ACT

To provide for issuing and payment of bonds by the commissioners of Stark county, Ohio, to meet a deficiency in the levy for county fund in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the commissioners of the county of Stark, for the purpose of meeting a deficiency in the county funds of the last two years, be and they are hereby authorized to issue bonds of said county for an amount not exceeding in the aggregate twenty-five thousand dollars ($25,000), payable at such times not beyond three years from their date, as to them may seem proper, and bearing interest at a rate not exceeding six per cent. per annum, said bonds not to be sold for less than their par value.

SEC. 2. That for the purpose of providing for the payment of said bonds and the accruing interest thereon, said commissioners are hereby authorized to add on the year 1884, to the levy now allowed by the general laws of the state for county purposes, not to exceed two-tenths of one mill on each dollar of taxable property in said county, and to add in the years 1885 and 1886, to the levy now allowed by the general laws of the state, for county purposes, not to exceed four-tenths of a mill in each year on each dollar of taxable property in said county.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 18, 1884.

[House Bill No. 325.]

AN ACT

To authorize the commissioners of Montgomery county, Ohio, to provide for a deficiency in the county or general expense fund of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Montgomery county, Ohio, for the purpose of meeting and providing for a deficiency in the county or general expense fund of said county arising from insufficient levies for county purposes, be and they are hereby authorized to levy a tax for the years 1884, 1885 and 1886, not exceeding five-tenths of one mill on the dollar, each year, in addition to all levies now authorized by law for said purposes on all the taxable property in said county; provided, said levy shall not increase the total of the levies for all purposes now authorized to be made.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 19, 1884.

[House Bill No. 394.]

AN ACT

To authorize the commissioners of Scioto county to issue bonds to raise money to redeem fifty thousand dollars of free turnpike bonds falling due January 1, 1885.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Scioto county, for the purpose of raising money to redeem fifty thousand dollars of the bonds of said county, issued under the act of April 19, 1872, entitled "an act supplemental to an act entitled an act to authorize the location and construction by the county commissioners of Scioto county of free turnpike and plank roads," passed April 5, 1866, falling due January 1, 1885, be and they are hereby authorized to issue the bonds of said county, not exceeding in amount fifty thousand dollars; such bonds shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be payable at such time and place as the commissioners may determine; but no part thereof shall be payable at a later date than September 1, 1897, and no part of the proceeds of the sale of said bonds shall be used for any purpose other than as herein specified.

SEC. 2. That for the payment of said bonds and the interest thereon, the commissioners are authorized to levy such taxes annually as will pay the interest on said bonds and such part of the principal as may become due from year to year, and so continue until such indebtedness shall be entirely discharged.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 19, 1884.

[House Bill No. 389.]

AN ACT

To authorize the village council of the incorporated village of Harrison, Hamilton county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the village of Harrison, Hamilton county, Ohio, be and is hereby authorized to transfer to the fire department fund the following amounts: From the town hall fund the sum of $375.14; from the marshal police fund the sum of $623.76; and from the general fund the sum of $2,100.58.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 19, 1884.

[House Bill No. 420.]

AN ACT

To change the time for holding the April term of the court of common pleas in the county of Coshocton for the year 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the time for holding the April term of the court of common pleas, in the county of Coshocton, as fixed by the judges of the sixth judicial district, be and the same is hereby changed, so that said term shall be held on the 21st day of April, 1884, instead of the time as fixed by said judges.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 19, 1884.

[Senate Bill No. 181.]

AN ACT

To create two new sub-school districts in Antrim township, Wyandot county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That two new sub-school districts are hereby created in Antrim township, Wyandot county, Ohio, composed respectively of the following described territory, to wit: Sections four (4), nine (9), ten (10), and the south half of section three (3), in the southern end of said township, to compose the first of said sub-districts, numbered two (2); and sections five (5), six (6), seven (7), and eight (8), in said southern end of said township, to compose the second of said sub-districts, numbered ten (10); provided, however, that the provisions of this section be ratified by the electors residing upon said described territory, in the manner hereinafter provided.

SEC. 2. Written notices shall be posted in at least five (5) of the most public places within said described territory, signed by at least three resident electors thereof, giving at least five days' notice of meeting, requesting the qualified voters residing upon said territory, to assemble at an hour and place therein designated, then and there to vote upon the provisions of said section one (1), as follows:

The said electors so assembled, at the time and place so designated in said notices, shall appoint of their number a chairman and two clerks, who shall be the judges of said election, which shall continue at least two hours, and shall not close before five o'clock P. M. Those electors favoring the provisions of said section one (1) shall have written or printed upon their ballots: "Two new sub-districts—Yes;" those opposed thereto, shall have so written or printed on their ballots: "Two new sub-districts—No;" and a majority of the ballots so cast shall determine whether or not said section one shall become operative.

SEC. 3. Should said election prove favorable to the creation of said two sub-districts, then the resident electors of each shall at once proceed to elect by ballot, three local directors for their respective sub-districts, to serve one, two and three years from the third Monday of April next; and after said local directors are so chosen and qualified, said sub-districts so created shall pass to the supervision and control of the board of education of said Antrim township.

SEC. 4. This act shall take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 19, 1884.

[Senate Bill No. 52.]

AN ACT

To authorize the board of education of the Union school district of Alliance, Stark county, to compromise with the sureties of Cyrus K. Greiner, late treasurer of said board of education.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the union school district of Alliance, Stark county, be and they are hereby authorized in their discretion, to settle and compromise with the sureties on the official bond of Cyrus K. Greiner, late treasurer of the said board of education, which bond was executed by the said Greiner and sureties on the twenty-second day of August, 1874, in the penal sum of twenty thousand dollars ($20,000), by said Greiner as said treasurer of said board of education, or any judgment rendered or that may be rendered thereon, upon the payment, or securing to be paid, upon such time as said board may deem reasonable to the treasurer of said board of education, for the use of said union school district, such sum or sums of money as said board of education shall deem proper and expedient; provided, that not less than fifty per centum of the amount of the defalcation of said Cyrus K. Greiner, as said treasurer, for which said suretiess are liable under said bond, shall in the aggregate be paid or secured to be paid, as aforesaid, to said treasurer of said board of education, for the use of said school district, as aforesaid.

SEC. 2. Said board of education of said union school district of Alliance, aforesaid, are hereby, in like manner and subject to the same limitations, authorized and empowered to settle and compromise with the sureties upon the official bond of the said C. K. Greiner, executed April 19, 1875, in the penal sum of fifteen thousand dollars ($15,000), as treasurer of said board of education, or any judgment that may have been rendered thereon, in any action brought upon said bond against said Greiner, as treasurer aforesaid, and said sureties; hereby authorizing, upon such settlement, said board of education to release said sureties from any judgment rendered on said bond; provided, however, that nothing in this act, for any settlement effected under either section hereof, shall be construed to have the effect of discharging the said Cyrus K. Greiner, in whole or in part, from his liabilities on either of the aforesaid bonds or judgments. Provided, that before said board of education shall make any compromise with said bondsmen, the proposition to settle shall first be submitted to a vote of the qualified electors of said union school district of Alliance at the general election to be held in said district on the first Monday of April, 1884; and those voting in favor of said compromise shall have written or printed on their ballots the words, "Compromise—Yes;" and those opposed to said compromise shall have written or printed on their ballots the words, "Compromise—No;" and if a majority of the votes cast at said election shall be in favor of said compromise, then said board of education may make said compromise, but if a majority of the votes shall be against said compromise, then said compromise hereinbefore provided for shall not be made.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 475.]

AN ACT

To authorize the trustees of Saint Joseph township, Williams county, Ohio, to join with the council of the incorporated village of Edgerton, in the construction of a town hall for the joint use of said township and village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Saint Joseph, Williams county, Ohio, and the council of the incorporated village of Edgerton, be and they are hereby authorized to join in the purchase and selection of grounds for a town hall, and in the construction of said hall in said village of Edgerton, for the joint use of said township and village.

SEC. 2. That said trustees and village council be and they are hereby authorized to let the contract for the building of said hall, in anticipation of the funds which have been provided for by a levy of taxes heretofore made and to be made for the year 1884, all of which funds will be paid into the treasury before the completion of said town hall; said trustees and village council are hereby authorized to locate said hall in the "Public Park" of said village, unless the terms upon which the village accepted said public park should prevent its location within the same.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 20, 1884.

[Senate Bill No. 147.]

AN ACT

To authorize the city council of the city of Zanesville, Muskingum county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Zanesville, Muskingum county, Ohio, be and it is hereby authorized to transfer the sum of six thousand three hundred dollars, now to the credit of the sinking fund of said city, to the street and alley fund of said city, for the purpose of repairing the damages caused to the streets of said city by the recent floods.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 20, 1884.

[House Bill No. 17.]

AN ACT

To divide Fayette township, Lawrence county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Fayette, in the county of Lawrence, be and the same is hereby divided into two election precincts, as follows: The first shall be called the Burlington voting precinct, and shall be composed of the whole of fractional township one (1), of range seventeen (17), also the whole of sections thirty-five (35), thirty-six (36), and the south half of sections twenty-five (25), twenty-six (26), thirty-three (33), thirty-four (34) in township two (2), of range seventeen (17), in Fayette township, Lawrence county. The second shall consist of the balance of the territory of said Fayette township, and shall be known as the Fayette precinct.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 20, 1884.

[House Bill No. 345.]

AN ACT

To authorize the council of the village of East Palestine, in Columbiana county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the village of East Palestine, in Columbiana county, Ohio, be and is hereby authorized to transfer any funds now in the marshal's fund, or that may hereafter come into said fund, and not needed for that purpose, into the bond and interest fund of said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 378.]

AN ACT

Supplementary to an act entitled "an act to authorize the council of the village of Bellefontaine, Logan county, Ohio, to issue bonds for the construction of water-works," passed April 17, 1882 (O. L. v. 79, p. 228).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Bellefontaine, Ohio, are hereby authorized to issue the bonds of said village, for the purpose of completing the construction of water-works for said village now in course of erection, and in a sum not exceeding twenty thousand dollars, and in denomination not less than one hundred dollars, and bearing interest not exceeding six per centum per annum, interest payable semi-annually, and redeemable after the bonds heretofore issued by said council for said purposes are paid.

SEC. 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and shall be sold at not less than their par value.

SEC. 3. That for the purpose of paying the bonds issued under the provisions of this act and the interest thereon as the same becomes due, said council shall have the same power to levy an additional tax as provided for in the act to which this is supplementary.

SEC. 4. Before said bonds shall be issued, the question of such issue shall be first submitted to the voters of said village at the general spring election to be held on the first Monday in April next, of which ten days' notice shall be given in two newspapers of general circulation in said village, designating the amount of bonds to be issued; those in favor of the issuing of said bonds shall have written or printed upon their regular ballots cast at such election, "Water-works bonds—Yes;" and those opposed, "Water-works bonds—No." The returns thereof shall be made to the village clerk, who shall present the returns so made to him to the council at their next regular meeting thereafter, when the same shall be canvassed by said village council and the result declared and entered upon the minutes; and if it shall appear that a majority of the electors voting upon such question had upon their ballots, "Water-works bonds—Yes," then said council may proceed to issue said bonds, and not otherwise.

SEC. 5. Should a majority vote against the issuing of said bonds at said spring election, the council of said village may by resolution order the same to be voted on at any other time or times, provided notice of each election is given as above required; and whenever at any such election a majority of the votes cast at such election shall be, "Water-works bonds—Yes," then said bonds may be issued as above provided.

SEC. 6. This act to take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 277.]

AN ACT

To authorize the village of Avondale, Hamilton county, to borrow money for sewerage purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Avondale, in the county of Hamilton, be and hereby is authorized to borrow money not exceeding twenty-five thousand dollars in amount, for the purpose of building sewers in such village, and the council of said village is hereby authorized to issue bonds of the village for the money so borrowed, said bonds to bear interest at a rate not exceeding five per cent. per annum, payable semi-annually, and said bonds shall be of such denominations and shall mature at such time as the council shall determine; provided, that such bonds shall not be sold for less than their par value.

SEC. 2. Said council is hereby authorized to levy such amount of tax upon the taxable property of the village as may be necesary to pay the interest and principal of such bonds when the same become due; said tax to be levied and collected in the same manner as taxes for general purposes are levied and collected.

SEC. 3. This act shall be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 289.]

AN ACT

To authorize the commissioners to provide a children's home in Vinton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Vinton county be and they are hereby authorized and empowered, without submitting the same to a vote of the electors of said county, to use a sum, not exceeding four thousand dollars, out of the building funds, to buy or build a children's home on grounds now owned by the county, or otherwise, as they may deem best.

SEC. 2. This act shall take effect and be in force from and after its its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 269.]

AN ACT

To amend an act entitled "an act to allow the commissioners of Gallia county to levy a tax to repair the principal highways therein" (O. L. vol. 77, p. 405.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Gallia county are hereby authorized to levy one mill annually upon all taxable property in said county, to be levied and collected as other taxes are, for the purpose of altering or improving the principal highways therein, and the moneys so collected may be expended under their direction.

SEC. 2. The commissioners, when they have determined upon the alteration or improvement of any county road under this act, are hereby authorized to make a private contract with any person or persons through whose premises said road may be located for the right of way for said road through said premises, and may alter or change the same, when in their opinion the change will be an improvement of the road, and when the damages and other expenses accruing therefrom will not exceed in the aggregate the sum of three hundred dollars. When such change has been agreed upon, the commissioners shall order a survey and plat of the same to be made, a copy of which shall be delivered by the surveyor to the county auditor, on or before the next meeting of the commissioners, and said auditor shall make a record of the same as in other cases of road changes or alterations, and such change or alteration shall be considered a public highway.

SEC. 3. The said original act, entitled "an act to allow the commissioners of Gallia county to levy a tax to repair the principal highways therein," enacted April 15, 1880, be and the same is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 380.]

AN ACT

To authorize the council of the city of East Liverpool to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of East Liverpool be and is hereby authorized to transfer the sum of sixteen hundred dollars ($1,600)) from the police fund to the fund for the general purposes of said city.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 419.]

AN ACT

To authorize the trustees of Warwick township, Tuscarawas county, Ohio, to transfer funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Warwick township, Tuscarawas county, Ohio, be and they are hereby authorized to transfer to the general fund of said township the sum of four hundred and seventeen dollars and seventy-eight cents ($417.78) bounty fund of said township.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 191.]

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct certain free turnpike roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Clermont county, Ohio, are hereby authorized to construct the following free turnpike roads:

First road: Beginning at the Ohio river pike one mile north of Moscow, thence following the country road to Big Indian creek at Call Cleasure; thence the nearest and best route to Laurel; thence following the county road to the J. D. Brown farm; thence on the line between the Emmons and Fitzpatrick farms, to intersect the Nickolsville pike at the farm of John Hodge.

Second road: To begin near the residence of James Dixon in Monroe township, and at the present terminus of the free pike; thence by way of Salt Air to Wigginsville.

Third road; To begin near the residence of John C. Shaw in Monroe township, at the present terminus of the free pike; thence via Nickolsville to Bethel.

Fourth road: Beginning at the Cincinnati, Goshen and Wilmington turnpike, at the school-house known as the Barber school-house, at or near the village of Mt. Repose; thence running north and on the line of the old road known as the Woodville road, or as nearly as practicable thereto, past the village of Charleston to the intersection of said road with the Milford and Edenton turnpike, at or near the cemetery known as the Odd Fellows' cemetery, in Wayne township.

Fifth road: Beginning at the village of Goshen, in Clermont county; thence running on the line of the road known as the Goshen and New Boston road, to intersect the iron bridge spanning the creek known as Obanion creek; thence on line of same road passing the hamlet of

Tippecanoe and what is known as Glancy's Corner to intersect the iron bridge spanning Stone Lick creek; thence on the line of same road passing the Clermont county fair-grounds to intersect the Milford and Chillicothe turnpike near said fair-grounds and the village of New Boston.

Sixth road: Beginning at the village of Loveland; thence running on the line of what is known as the river road, and parallel to the Little Miami river, to the village of Branch Hill; or upon some other more practical route, to be determined by said county commissioners, between the villages of Loveland and Branch Hill.

Seventh road: Beginning at the east end of the suspension bridge in the village of Branch Hill; thence easterly as the road is now laid out to the top of the hill known as the Branch hill, and through said village; thence through the lands of Harriet Gibson, John D. Gallaher, John F. Thompson and others, to where the same is intersected by the first road leading south; thence south through the lands of Howard Brower, Jonathan Stabler, E. V. Bookfield and others, to the line of Henry Weike; thence west along Weike s land to his north-west corner; thence south along Weike's west line to a point where said road turns westward; thence west through lands of M. Keigler to lands of Geo. W. Taft; thence south through and along lands of said Taft and Keigler, and through lands of John Thompson, John Elliot, Buckingham and others, and through the village of Miamiville, to intersect with the Camargo turnpike.

Eighth road: To begin at the east end of the suspension bridge at Branch Hill, in Miami township, Clermont county, Ohio; thence running through the village of Branch Hill in an easterly direction on the road as now located passing a hamlet known as Ward's Corner, and thence continuing on same road, passing the village of Guinea to its intersection with the Cincinnati, Goshen and Wilmington turnpike at what is known as Barber's school-house.

SEC. 2. That said commissioners may issue bonds for the construction of either or all of said roads; provided, said bonds shall not bear interest at a higher rate than six per cent. per annum, payable annually, and shall not be sold for less than their par value; provided further, that said bonds may extend to such time as they can be met by a levy of not exceeding one-half ($\frac{1}{2}$) of one mill on the dollar on the tax duplicate of said county.

SEC. 3. That said commissioners shall, before proceeding to construct said road or roads, or any part of the same, require and secure from those interested in said improvements, a subscription or donation equal in amount to twenty per centum of the costs of said improvement, to aid in the construction of the same.

SEC. 4. That, for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax, not exceeding one half mill on the dollar on all taxable property in said county.

SEC. 5. And in locating said roads, said commissioners may locate the same upon the whole or any part of any county or township road heretofore laid out and established, and to widen, alter, change or vacate the same, or any part thereof, and shall have the power to lay out, locate and survey such turnpikes through any improved or unimproved lands, and are hereby authorized, for that purpose, to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio

for the appropriation of private property for public purposes and the payment of compensation therefor. Said roads shall be opened not more than sixty and not less than thirty feet wide.

SEC. 6. This act shall be in force and take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed March 20, 1884.

[House Bill No. 333.]

AN ACT

To authorize the treasurer of Holmes county, Ohio, to deposit the funds received by him as such, in the banks of said county, during the rebuilding of the court house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the treasurer of Holmes county, Ohio, with the approval of his sureties in writing, and the commissioners of the county, is hereby authorized to deposit with either or any of the banks of said county the funds received by him from time to time as such treasurer, during the rebuilding of the court house authorized by an act of the sixty-sixth general assembly, and that the sureties of said treasurer shall not be released from their obligations on account of such deposit.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 24, 1884.

[House Bill No. 239.]

AN ACT

To autnorize the board of education of the special school district of Belmore, Putnam county, Ohio, to levy a tax to pay an existing indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of Belmore, in Putnam county, Ohio, are hereby authorized and empowered to levy a tax upon the taxable property of said special school district for each of the years 1884, 1885 and 1886, not exceeding eight mills on the dollar valuation of property each year in said district, in addition to the taxes now authorized to be levied by law. Provided, that before said board of education shall levy said tax, said board shall, on the second Monday of

April, 1884, submit the proposition to the qualified electors of said special district; and provided further, that a majority of the qualified electors at said election shall vote in favor of the levy of said tax.

SEC. 2. It shall be the duty of said board of education of said special school district, before submitting said proposition, to give at least ten days' notice of the submission of said proposition, by posting notices in at least three conspicuous places in said special school district, of the time and object of said voting. The form of the ballots at said election on said proposition for levying said tax, as provided for in the second section of this act, shall be as follows: "For levying tax—Yes; "For levying tax—No;" and in case a majority of the qualified electors at said election shall vote in favor of levying said tax, said board of education is hereby authorized to levy said tax on the valuation of the property of said special school district, and not otherwise.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 24, 1884.

[House Bill No. 76.]

AN ACT

To amend section 1 of an act entitled "an act to authorize the commissioners of Pike county to build certain roads," passed April 18, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act entitled "an act to authorize the commissioners of Pike county to build certain roads," passed April 18, 1883, be so amended as to read as follows:

Section 1. That the commissioners of Pike county hereby are authorized, when in their judgment the best interests of the public requires, and the resident landowners along each of the several routes of road hereinafter named, shall secure to the county the right of way, and all the earth, gravel and stone which shall be necessary to the construction of either or all of said roads, free of costs and expense to the county, to construct any part or all of said roads or any part, or all or any one or more of them, and for such purpose they are authorized to employ, at a reasonable compensation, a competent engineer or superintendent to superintend the building of the same, and along the following routes, to wit:

First route: Beginning at the terminus of the Waverly and Sunfish turnpike road, in the village of Latham, and running thence west with the county roads, or as near as may be practicable, to the county line near Sinking Springs.

Second route: Beginning in said last named route, at such point as may be deemed best by the commissioners, and following the best and most practicable route to or near Cynthiana, in Perry township of said county, and to intersect with the free turnpike leading from Bainbridge to Sinking Springs.

Third route: Beginning at the Scioto county line, in Marion township, and the turnpike leading to Harrisonville and Portsmouth, running thence with, or as near as can be, the present county road, to the village of California, in said township; thence by the most practicable route to intersect the new turnpike being constructed under an act of the legislature, passed at the last session, called the Beaver free turnpike, at such point as may seem best for the public interests, as near Beavertown as may be practicable.

Fourth route: Beginning in the county road leading from Waverly to Buchanan, at the point where the same intersects the Waverly and Sunfish turnpike, about one and one-half miles west of Waverly, in Pee Pee township, and running thence as near as practicable with the county road, to the village of Buchanan, in Pebble township.

Fifth route: Beginning at or near where the county road leading from near G. Vastine's to the Locust Grove, in Adams county, intersects the Idaho, Jasper and Piketon turnpike, and running with said county road, or as near as practicable, up Chenoweth's for a distance of five miles.

Sixth route: Beginning at a point in the Portsmouth and Columbus turnpike road about one mile north of Waverly, at the divergence of the Bainbridge road from said turnpike, thence following as near as practicable said Bainbridge road to a point known as "Ewing trestle," and thence with said Bainbridge road to where the same intersects with what is known as the "Bourneville road," and thence west on said Bourneville road to the Ross county line; distance in all about seven miles.

Seventh route: Beginning at the village of Coopersville, and running thence up Camp Creek with the county road, as near as practicable, four miles.

Eighth route: Commencing at the eastern terminus of the Pike Hill improvement in Seal township, and running thence east, as near as may be, with the county road, to the Waverly and Beaver free turnpike, at Zahn's Corner.

Section 2. Said roads shall not be more than sixty nor less than forty feet in width, and shall be turnpiked with earth at least twenty feet in width so as to drain freely to the side, and raised with stone or gravel, or both, not less than twelve, nor more than sixteen feet in width, and not less than twelve inches nor more than sixteen inches in depth, in such a manner as to secure an even and durable road, and the grade of ascent or descent shall in no case be greater than seven (7) degrees; and said roads shall be provided with all necessary side drains, water ways, culverts and bridges.

Section 3. That for the purpose of building said roads, and to obtain the money therefor, the commissioners shall have the right, when they have determined to build any one or more of said roads, to issue the bonds of said county, not to exceed eighteen hundred dollars for each mile determined by them to be built, and in such denominations as may be best, but not in denominations less than one hundred dollars, payable at such dates and times as the commissioners may deem best, to bear interest at a rate not greater than six per cent., payable semi-annually, and which bonds shall be sold according to law.

Section 4. That to pay said bonds and the interest thereon as the same may become due, said board of commissioners are hereby author-

ized to levy a tax not to exceed one mill on the dollar, annually, of the taxable property of said county.

Section 5. That in performing the duties required of the county commissioners under this act, all duties not herein expressly set forth shall be governed by the general laws of the state regulating the building of free turnpikes.

SEC. 2. That section 1 of the act passed April 18, 1883, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 24, 1884.

[House Bill No. 54.]

AN ACT

To authorize the commissioners of Darke county, Ohio, to refund and pay back certain over assessments heretofore made to clean out, straighten, widen and deepen Mud and Greenville creeks and their tributaries to the persons who were over assessed for that purpose.

WHEREAS, A certain ditch has heretofore been located, established and constructed, pursuant to an act of the general assembly of the state of Ohio, entitled "an act to provide for the straightening, cleaning out, widening, deepening, and otherwise improving Mud creek and Greenville creek, also their tributaries, in Darke county, Ohio;" and

WHEREAS, there remains in the treasury of the said county, of the assessment made and collected in behalf of said ditch, over and above the cost of construction, an unexpended sum of money; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Darke county, Ohio, be and they are hereby authorized, directed and required to refund and pay back to each and all persons whose lands were heretofore over assessed and who paid into the county treasury of said county the amount of the tax so over assessed upon their lands for the purpose of cleaning out, straightening, deepening and widening Mud and Greenville creeks, and their tributaries in said Darke county, the amount of the taxes over paid by said tax-payers upon said over assessments for said purposes.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 299.]

AN ACT

To authorize the trustees of Weston township, Wood county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of the township of Weston, Wood county, Ohio, be and they are hereby authorized to transfer the sum of sixteen hundred and sixty-three dollars and ninety-one cents ($1,663.91) from the debt fund to the following funds, as follows:

To township expense fund, fourteen hundred and sixty-three dollars and ninety-one cents ($1,463.91); bridge fund, two hundred dollars ($200).

SEC. 2. This act to take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 304.]

AN ACT

To amend section 1 of the act passed April 17, 1878, entitled "an act to authorize the Berea agricultural society to open streets through, to allot and sell or exchange certain lands." (75 O. L., 1124.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of the act passed April 17, 1878, entitled "an act to authorize the Berea agricultural society to open streets through, to allot and sell or exchange certain lands," be so amended as to read as follows:

Section 1. That the Berea agricultural society be and the same is hereby authorized and empowered to open streets through, allot and sell or exchange any or all lands belonging to said society.

SEC. 2. That said section one of said act, passed April 17, 1878, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 306.]

AN ACT

To amend section 2 of the act of February 10, 1829, amending the act incorporating the charity school of Kendall, Stark county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two of the act of February 10, 1829 (O. L. v. 27, p. 76), amending the act incorporating the charity school of Kendall, in Stark county, passed January 24, 1826 (O. L., v. 24, p. 36), be amended so as to read as follows:

Section 2. That if any male person, within the age of twenty-one years, or female within the age of eighteen years, shall be bound by such indentures as aforesaid, of his or her own free will and accord, and by and with the consent of his or her father, or in case of the death or inability of his or her father, by and with the consent of his or her mother or guardian, to be expressed in such indenture, and signified by such parent or guardian signing the same, and not otherwise, to continue and remain in said school, subject to the rules and regulations thereof, until, if a male, he arrives at the age of twenty-one years, or if a female, she arrives at the age of eighteen years, or if a shorter period of time, then the person so bound, as aforesaid, shall continue and remain in said school, subject to the rules and regulations thereof. And if any person bound as herein provided, and without just cause, refuses to remain the full time, on complaint thereof, by the trustees or superintendent of said school, to the judge of the court of common pleas of said county, he is hereby authorized, at his discretion as to the justice of said complaint, to order the clerk of the court to issue his writ to the sheriff of said county, to forthwith compel the return of said absconding person or persons in case residence is known.

SEC. 2. That section 2 of the act of February 10, 1829, is hereby repealed; and this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 319.]

AN ACT

To authorize the board of education of Wauseon village school district to levy a tax, in addition to that now authorized by law, for the purpose of repairing school-houses in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Wauseon village school district of Fulton county, Ohio, be and is hereby authorized to levy upon all the taxable property of said district for the year 1884, for the purpose of making necessary repairs upon school houses and improvements on grounds, not exceeding two mills on the dollar valuation, in addition to the taxes now authorized by law.

SEC. 2. That this act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 346.]

AN ACT

To authorize the council of the village of Junction City, Perry county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Junction City, Perry county, be and they are hereby authorized to transfer all of the police fund of said village which has accrued or may accrue from year to year under section of an act passed April 17, 1883, entitled, "an act further providing against the evils resulting from the traffic in intoxicating liquors," reserving, however, so much of said fund as shall be required to pay the salary of the marshal of said village, the balance to be transferred to the road fund or such other fund as the council may deem judicious.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 348.]

AN ACT

To authorize the council of the village of New Lexington to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of New Lexington, Perry county, Ohio, be and is hereby authorized to transfer the sum of six hundred dollars from the police and marshal fund to the general fund.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 353.]

AN ACT

To authorize and empower the city council of the incorporated city of Galion, Crawford county, Ohio, to permanently transfer certain moneys from the police fund and cemetery fund of said city to the improvement fund therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city council of the city of Galion be and they are hereby authorized and empowered to transfer permanently the sum of eight hundred and sixty-two dollars and five cents from the cemetery fund of said city, and the sum of two thousand dollars from the police fund of said city, to the general improvement fund therein.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 474.]

AN ACT

To authorize the council of the city of Xenia to issue bonds for certain purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Xenia, Ohio, in the county of Greene, be and the same is hereby authorized to issue the bonds of said city, in any sum not exceeding two thousand dollars, to raise money to pay the cost of repairing the engines of the fire department of said city; and also to issue the bonds of said city in any sum not exceeding six hundred dollars, to raise money to pay and settle the claim of George M. Rolls against said city, said bonds to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually from the date of issue.

SEC. 2. Said bonds shall be issued in such denominations as will, in the judgment of said council, best subserve the negotiation and sale thereof, and council is authorized to sell said bonds at any time after giving ten days' notice of sale in some newspaper of general circulation in said city.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[Senate Bill No. 148.]

AN ACT

To authorize the commissioners of Pickaway county, Ohio, to erect a memorial hall, and to levy a tax and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pickaway county, Ohio, be and they are hereby authorized to levy a tax, not exceeding one and one-half mills upon the dollar, upon all the taxable property of said county, in addition to the tax authorized by section eight hundred and ninety-three of the revised statutes of Ohio, and directed to be levied by a vote of the people of said county on the second Tuesday of October, 1883, for the erection of a soldiers' monument, and also to appropriate the amount raised by the levy authorized by said section eight hundred and ninety-three in the purchase of a suitable site, within the corporate limits of the city of Circleville, and to erect thereon a building, to be known as a monumental hall, to perpetuate the memory of the soldiers and sailors of said county who served in the war of 1812, in the war with Mexico, and the war of 1861.

SEC. 2. The title to said site or location and the building to be erected thereon, shall be vested in the county, and in case said commissioners are unable to procure a suitable site, for a reasonable price, they are hereby authorized and empowered to appropriate such site, in accordance with section sixty-four hundred and fourteen, and succeeding sections of the revised statutes of Ohio, relating to the appropriation of property by corporations.

SEC. 3. The said memorial hall shall be erected by the commissioners under and in accordance with section seven hundred and ninety-four of the revised statutes of Ohio, relating to the erection of public buildings, and shall be of such size, design and character as in the judgment of the commissioners and the monumental association of said county will best subserve the public utility and the purposes of its dedication, and shall contain a hall, which shall be under the exclusive use and control of the surviving soldiers and sailors of the wars above named, residing in the county, and shall also contain a public hall, which shall at all times be subject to the free use of the people of the county, for public meetings, under such rules and regulations as the trustees hereinafter named shall adopt.

SEC. 4. The said building, when completed, shall be under the charge, supervision and control of five trustees, two of whom shall be chosen by the county commissioners and three by the said monumental association, for the term of one year, and shall serve without compensation. Provided, that if said monumental association shall cease to exist the commissioners shall appoint all of said trustees. The said trustees shall receive all rents and other revenues from the building, and pay all necessary expenses for the proper preservation of the same, and shall make a report annually of their receipts and expenditures to the commissioners, which report shall be filed in the office of the county auditor and placed upon the record of proceedings of said commissioners. The trustees shall adopt such rules and regulations for the management, control and use of said building as they may deem necessary.

SEC. 5. After the payment of the expenses of the keeping and repair of said building, the residue of the proceeds arising from the rents of said building, shall be applied and appropriated to the relief of the in-

digent soldiers and sailors of said county, and the widows and orphans of deceased soldiers and sailors of said county, who served in said wars or any of them, under the control and disposition of the monumental association of said county, and until otherwise provided by law.

SEC. 6. The commissioners, in anticipation of the levies herein provided, are hereby authorized and empowered to issue the bonds of the county, not exceeding in amount the gross sum which may be realized from such levies. Said bonds shall be in denominations of not less than fifty nor more one thousand dollars, each, with interest not exceeding six per centum per annum, payable semi-annually, and said bonds shall be made due and payable in installments not exceeding the period of eight (8) years, at the office of the county treasurer of said county, and shall not be sold for less than their par value and accrued interest. Due notice of the time and place of the sale of said bonds shall be given by publication for at least three consecutive weeks in two of the newspapers published and of general circulation in said county.

For the purpose of paying the interest on said bonds, and the principal of the same as they become due, the county commissioners are hereby authorized to levy a tax annually, inclusive of the levy authorized by said section eight hundred and ninety-three, upon the taxable property of said county, not exceeding one-half mill each year, to be collected as other taxes.

SEC. 7. Before the commissioners shall levy such additional tax, issue bonds, purchase a site, or contract for the erection of said memorial hall, they shall submit to the qualified voters of said Pickaway county, at the election to be held on the first Monday of April, 1884, the question of levying such additional tax and erecting said memorial hall, and shall give at least fifteen days' notice of the submission of said proposition previous to said election, in two or more weekly newspapers, published and of general circulation in said county, and also by causing a notice of the same to be posted in three of the most public places of each voting precinct in the county. At said election, those voting for the proposition shall have printed or written on their ballots the words, "Memorial hall—Yes;" and those voting against the proposition, shall have printed or written on their ballots the words, "Memorial hall—No." The judges of election of the several townships and wards of said county shall, within three days after said election, return to the clerk of the court of said county, the poll-books and tally-sheets, with the result of said vote, properly attested, and thereupon the clerk of the court shall call to his assistance two of the justices of the peace of said county and canvass said vote, and certify the same to the auditor of the county. If the majority of all the votes cast at said election shall be in favor of said memorial hall, then the commissioners as aforesaid shall procced to carry into effect the provisions of this act; but if the majority of all the votes cast at said election shall be against said memorial hall, then this act shall be void and of no effect.

SEC. 8. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 25, 1884.

[House Bill No. 364.]

AN ACT

To authorize the board of education of Burton township, Geauga county, to purchase a site, erect and furnish a school building thereon, and to issue bonds to pay for same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the township of Burton, Geauga county, are hereby authorized to purchase a site, and erect thereon and furnish a suitable school building, which shall be free to the use and benefit of all the youth of school age in said township for school purposes; provided, that the cost of purchasing said site and the erection and furnishing of said school building shall not exceed the sum of thirteen thousand dollars.

SEC. 2. Before proceeding to purchase said site and erect said school building, the question shall be submitted to the qualified electors of said township at any regular election succeeding the passage of this act; at least ten days' notice of the submission of said question shall be given by publication in any newspaper published in said township; said notice shall be signed by the clerk of said board of education. Those who favor the purchase of said site and the erection of said building, shall have written or printed on their ballots the words, "School-house—Yes;" those opposed, the words, "School-house—No."

SEC. 3. If a majority of all the voters voting at said election vote "School-house – Yes," it shall be the duty of said board of education to proceed to erect said building in such manner and form as they may deem for the best interest of said township, and not otherwise.

SEC. 4. To provide for the payment of the debt incurred in purchasing said site and erecting and furnishing said building, or for either of said purposes, said board of education are hereby authorized to issue the bonds of said township, for a sum not exceeding thirteen thousand dollars, payable in not less than five nor more than fifteen years, bearing interest at a rate not exceeding six per cent, payable annually or semi-annually (as they may deem best) at the office of the treasurer of said township, and which shall not be sold at less than par value. Said bonds shall be signed by the president and clerk of said board of education.

SEC. 5. Said board of education shall annually thereafter cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof as the same shall become due in the manner provided by law for levying and collection of taxes.

SEC. 6. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 26, 1884.

[House Bill No. 229.]

AN ACT

To authorize the board of education of the special school district of the village of Montra, Shelby county, to issue bonds to raise money to build a school-house in said district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of the village of Montra, Shelby county, Ohio, are hereby authorized to borrow money, not exceeding two thousand dollars, for the purpose of building a school-house in said district.

SEC. 2. And to secure the payment of said money so borrowed, said board may issue bonds in sums not less than one hundred, and not more than five hundred dollars, each, to bear interest at the rate of six per cent. per annum, and said bonds, with the interest thereon, shall be made payable at such times and in such proportions as said board may stipulate therein.

SEC. 3. And to secure the payment of said bonds, and interest thereon, the said board is hereby authorized to levy a tax on all the taxable property within the limits of said district, not to exceed five mills on the dollar for each year, until a sufficient sum is realized to pay said bonds and the interest thereon; and the said sum of money shall be placed upon the tax duplicate of said county and collected as other taxes are.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 26, 1884.

[Substitute for House Bill No. 276.]

AN ACT

To authorize the commissioners of Ottawa county, Ohio, to better carry out the provisions of the laws regulating the construction and repair of ditches, drains and water-courses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That whenever it shall appear to the commissioners of Ottawa county that any improvement made in said county under the provisions of section 4448 of the revised statutes of Ohio, has no sufficient outlet, or in case it shall appear that such outlet so located is insufficient to discharge the water, the commissioners may provide additional outlets by one or more lateral ditches, spurs or side cuts, if the object of the improvement will be better accomplished thereby.

SEC. 2. If the commissioners of Ottawa county, having proceeded under section 4434 of the revised statutes of Ohio, to locate and construct certain improvements therein named, shall find that such proposed improvement enters or passes through any marshy lands, or includes the

channel or any part of any river, creek or run as mentioned in amended section forty-four hundred and forty-seven, and that such survey and improvement cannot be made in the ordinary or usual manner of constructing ditches, drains or water-courses, then said engineer or surveyor shall make such survey and estimate in the best practicable manner obtainable to accomplish the object of said improvement; and provided further, that if the said commissioners shall find it necessary, and that it will be conducive to the public health, convenience and welfare of the county to dredge such water-course, creek, river or other outlet for the purpose of obtaining a good and sufficient outlet for such improvement, said commissioners may procure a suitable steam dredge for such purpose, to be paid for by said county, but the expense of running and operating such steam dredge shall be paid for and assessed upon the lands thereby benefited as is otherwise provided by law, but in no case shall such assessment exceed the estimate and apportionment made by said engineer or surveyor, and approved of by said commissioners.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 26, 1884.

[House Bill No. 321.]

AN ACT

To authorize the trustees of Jackson township, Sandusky county, Ohio, to levy a tax for the location and establishment of a township road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of Jackson township, Sandusky county, Ohio, be and they are hereby authorized to locate and establish a township road, forty feet wide, commencing on the half-section line at the center of section thirteen in Jackson township, Sandusky county, Ohio, at the southern terminus of a road running north and south about two and one-half miles till it intersects the Fostoria road in section twenty-five of said township, and there to terminate.

SEC. 2. That for the purpose of paying the cost of the view and survey and the compensation and damages which shall be allowed to the owners of the land through which said road is to pass, the said trustees of Jackson township, Sandusky county, Ohio, be and they are hereby authorized to levy a tax upon the taxable property of said township, not exceeding one-half mill on the dollar per year, until all the necessary costs and expenses incurred in locating and establishing said road shall be fully paid.

SEC. 3. That a majority of said board of trustees shall be necessary to agree upon the location and establishment of said road.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 26, 1884.

[House Bill No. 415.]

AN ACT

To authorize the commissioners of Lawrence county to borrow money for bridge purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Lawrence county be and they are hereby authorized to borrow money, not exceeding twenty thousand dollars, for bridge purposes, and the county commissioners of said county of Lawrence are hereby authorized to issue bonds of said county for the money so borrowed, said bonds to bear interest at a rate not exceeding six per cent. per annum, and shall not be sold for less than par value, and said bonds shall be of such denomination, and shall mature at such times as the commissioners shall prescribe, not exceeding fifteen years.

SEC. 2. Said county commissioners shall annually levy such tax upon all the taxable property of said Lawrence county as will pay the interest upon bonds so issued, and also to provide a fund to pay the principal of said indebtedness as it may mature.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 140.]

AN ACT

To amend section five (5) of an act entitled "an act to amend an act entitled 'an act to enable the commissioners of Montgomery and Warren counties to purchase toll-roads, and convert the same into free roads,'" passed and took effect May 10, 1878 (O. L., vol. 75, p. 1150), and amended April 12, 1880 (O. L., vol. 77, p. 386), and March 27, 1882 (O. L., vol. 79, p. 180).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section five (5) of the above entitled act, as amended April 12, 1880, and March 27, 1882, be amended so as to read as follows:

Section 5. For the purpose of paying the bonds named in this act, and interest thereon, the county commissioners are authorized and em-

powered to annually levy, upon the grand duplicate of the county, an amount which, in their opinion, may be sufficient for the payment of said bonds and interest thereon; and for the purpose of keeping said roads in repair, the county commissioners are authorized and empowered to annually levy upon the grand duplicate of the county an amount sufficient to keep said roads in repair, which fund shall be known as a special pike fund, and shall be collected as other taxes, and shall be and remain under the control of the county commissioners; and to further provide for keeping in repair said roads, there shall be elected in each of the townships of said county, wherein any of said roads or parts thereof may be situated, on the first Monday of April, 1882, and annually thereafter, one or more special pike commissioners, as said county commissioners may direct, whose duty it shall be to keep in repair said roads or part of roads in such township, and who shall give bond for the faithful discharge of his duties, in the sum of three thousand dollars ($3,000), with good and sufficient surety, to be approved by the county commissioners, and who shall also report, semi-annually, on the first Monday of September and the first Monday of March, to said county commissioners, with accompanying vouchers, a detailed statement of the receipts and expenditures of his office, and upon failure to report upon demand made in writing therefor by the commissioners, or if he shall neglect to perform his duty according to law, the commissioners may, by a unanimous vote at any regular meeting, suspended or remove said special pike commissioner, and appoint a suitable person to fill said vacancy, and he shall do and perform his labor upon said roads under the instruction of the county commissioners, and receive from them, from time to time, such portion of the special pike fund as they may deem proper, to be paid upon estimate and upon the order of the county auditor.

They shall have all the powers and privileges of road supervisors, and may, when in their opinion the interest of any of the pikes require it, enter upon any lands in the county, and take the gravel, or other material necessary for the repair of the pikes, and shall pay a reasonable amount therefor, together with the amount of damages to the lands by reason of the removal of such material. If an owner be dissatisfied with the amount paid, or offered to be paid by said pike commissioner, he shall go before the board of county commissioners, and if not satisfied with their award, he may appeal to the probate court of the county, subject to all the provisions of the statutes relating to the appropriation of material for road purposes.

Said commissioner shall receive for his services, two dollars for each and every day he may be actually employed on said roads; but nothing in this act shall be so construed as to allow him buggy hire, or additional pay of any kind; and in case of a vacancy occurring in the office of special pike commissioner, in any of the townships herein mentioned, the county commissioners are hereby empowered to fill such vacancy until the same can be regularly filled at the succeeding township election.

SEC. 2. That said original section five (5), as amended April 12, 1880, March 27, 1882, be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

Passed March 27, 1884.

JOHN G. WARWICK,
President of the Senate.

19

[House Bill No. 188.]

AN ACT

To provide for the construction, improvement and maintenance of roads and highways in the county of Morgan, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees in each township in the county of Morgan shall, within ten days after the first Monday in April, 1884, divide their respective townships into road districts, and annually thereafter may make any alterations they may deem proper in such road districts. They shall cause a description of the districts so made or altered to be entered in the township record; after such division or alteration they shall appoint one supervisor of roads for each district so constructed, who shall be a resident of such road district and not related to either of the trustees making such appointment. Each road district shall contain not less than nine square miles nor more than twenty-five square miles of territory; provided, each township shall constitute at least one road district, and shall designate the number of constables to be elected for their townships and give notice of their election.

SEC. 2. The trustees of the several townships in the said county of Morgan shall, on or before May 15, 1884, and annually thereafter, levy on the taxable property of their respective townships, for the purpose of opening, grading, improving and repairing the roads and highways of such township, one and one-half mills upon the dollar valuation in such township, and the trustees shall certify such levy to the county auditor in writing, on or before the fifteenth day of May in each year. The county auditor shall assess the same on the taxable property of such township, and the same shall be collected at the December installment. All road taxes so levied and collected shall be paid by the county treasurer, to the treasurer of the township from which the same had been collected, and shall be paid out as hereinafter provided.

SEC. 3. Each supervisor so appointed shall, before entering upon the discharge of his duties, execute a bond with surety in the sum of five hundred dollars, payable to the township trustees for the use of the roads, and to be approved by them, conditioned that he will honestly and faithfully perform his duties as such supervisor, and shall take an oath of office, which bond shall be deposited with the township clerk. Such supervisors shall each receive two dollars per day for time actually and necessarily employed in the discharge of their duties. Each supervisor shall keep an account of the date and time employed, and shall, at the end of each month, make an itemized statement of such account and present the same to the township trustees for approval, and such account, when approved in writing by the trustees, shall be a voucher for the clerk to draw his order upon the township treasury for the amount thereof in favor of such supervisors, and the same shall be paid out of the road fund of such township, and the supervisors shall be subject to the same penalties and governed by law as now in force, except as herein expressly provided otherwise.

SEC. 4. The trustees shall control the supervisors as to the time, amount of money to be expended, and place and manner of performing all work and making all improvements on the roads of their respective townships; but the supervisor shall have the immediate supervision of the work and workmen in their respective districts. He shall give to

each workman employed a certificate, showing the time, kind of labor performed and price per day, and also the items and price of materials furnished or purchased under the direction of the trustees, which certificate, when approved by the trustees of the township, shall constitute a voucher for the clerk to draw an order upon the township treasurer for the amount thereof in favor of the holder. Each supervisor shall keep an account, in a book to be provided by the township trustees, of all certificates issued by him, containing the items of each certificate, and such supervisor shall, at the regular meetings of the trustees, furnish transcripts of such records to the trustees, who shall compare the same with the orders issued by the clerk, and discrepancies, if any, shall be adjusted. Any supervisor may be removed at any time by the trustees in regular session, and the vacancy filled by the appointment of some other person.

SEC. 5. The county commissioners of the said county of Morgan may, in their discretion, on or before June 10, in 1884, and annually thereafter, levy on the taxable property of the county, not to exceed one mill on the dollar valuation, in addition to all other taxes allowed by law, for the purpose of opening, grading and improving the roads and highways of the county, and the amount of such levy shall be placed on the tax duplicate by the county auditor, and shall be collected at the December installment in the manner now provided by law, and shall constitute a "county road fund," to be expended by and under the direction of the county commissioners, upon such roads of the county and in such manner as they may deem best.

SEC. 6. The two days' work required by law to be performed upon the roads and highways shall be performed under the direction of the trustees and supervisors in this act authorized, and for the years 1884 and 1885. The trustees of said several townships may anticipate one half the tax herein authorized to be levied in their townships by the issue of bonds of such township, payable in six months, with interest from date of issue, in denominations not less than ten nor more than one hundred dollars, which shall be sold at not less than their par value, and the proceeds applied to the roads, as in this act contemplated.

SEC. 7. The provisions of this act within the limits of said Morgan county, shall be in lieu of sections 1457, 1459, 2829, 2830, 4738, 4739, 4755, 4756 and 4757 of the revised statutes of Ohio and the amendments thereto, and the same are by this act rendered inoperative in the said county of Morgan, and all other acts or parts of acts which are inconsistent with this act, or in conflict with this act, are by this act superseded within the limits of said county of Morgan. All other acts, laws or statutes or parts thereof, not excepted herein, are in as full force in said county as though this act had not been passed.

The authority of the county commissioners of said county of Morgan to levy taxes for road purposes by virtue of the authority in sections 2822 and 2824 of the revised statutes of Ohio, is by this act superseded and annulled.

SEC. 8. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 118.]

AN ACT

To authorize the council of the incorporated village of Sabina, Clinton county, Ohio, to borrow money and issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Sabina, Clinton county, Ohio, be and they are hereby authorized to borrow, not exceeding five thousand dollars, for the purpose of establishing a system of sewerage in said village, and for the purpose of paying said indebtedness, they are authorized to issue the bonds of said village, dollar for dollar, in denominations of not less than two hundred dollars, and payable in not less than five years from the date of issue, and bearing a rate of interest not to exceed six per centum per annum, payable semi-annually; and for the purpose of paying the interest on said bonds, and the principal as they become due, said council is authorized to levy a tax annually upon all the taxable property of said village sufficient for that purpose

SEC. 2. Provided, however, that before borrowing said money and issuing said bonds, the council of said village shall, after five days' notice published in a newspaper of general circulation in said village, submit to the qualified voters thereof, on the first Monday of April, 1884, the proposition of issuing said bonds.

SEC. 3. The electors voting in favor of the provisions of the first section of this act shall have written or printed on their tickets the words, "Tax for sewerage purposes—Yes;" and the electors voting against the provisions of said section shall have written or printed on their tickets the words, "Tax for sewerage purposes—No;" and if a majority of the electors voting at said election shall vote "Tax for sewerage purposes—Yes," then the provisions of section one of this act shall be in full force and effect.

But if a majority of the electors voting at said election shall have written or printed on their tickets the words, "Tax for sewerage purposes—No," then the authority to borrow money and issue bonds shall not be granted to said council.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

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enate Bill No. 139.]

AN ACT

To authorize the commissioners of Sandusky county to settle certain claims herein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Sandusky county, Ohio, be and they are hereby authorized to pay Charles Pohlman, Jr., sheri of said county, such sum

as they may deem reasonable for his extra services, not exceeding three hundred dollars, in the hanging of John Radford, and for extra expenses incurred in the repairing of the county jail to prevent his escape before the execution.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[House Bill No. 232.]

AN ACT

To authorize the board of education of Eaton village school district of Preble county, to issue bonds to complete and furnish a school-house and improve the grounds thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Eaton village school district in Preble county, Ohio, be and the said board is hereby authorized to issue the bonds of said district and sell the same, not exceeding eighteen thousand dollars, in addition to the amount which said board is now authorized to issue, and to use the proceeds thereof in building, or completing and furnishing, a school-house in said district, and in improving the grounds thereof.

SEC. 2. Said bonds shall be in sums of one thousand dollars each, the first of which shall be payable not later than the year A. D. 1897, and the remainder thereof shall be made payable, two each year thereafter until all are paid. They shall bear interest at a rate not exceeding six per cent. per annum, to be paid semi-annually, and shall not be sold for less than the par value thereof. Said bonds shall be signed by the president and clerk of said board upon the resolution of the board, and a complete record of the same shall be kept by said clerk.

SEC. 3. Said board of education shall cause the necessary taxes to be levied to pay the interest on said bonds, and to pay the principal thereof as the same shall become due, in the manner provided by law for levying taxes for school and school-house purposes.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 149.]

AN ACT

To change the boundary line between Pike and Monroe townships, in Madison county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory, part of Monroe township, in Madison county, Ohio, be and the same is hereby attached to, and made a part of Pike township in said county, to wit: Beginning at the north-west corner of said Monroe township. and in the line of Pike township; running thence in a south-easterly direction and in a straight line to a point where the county road leading from Liverpool in said county intersects the county road running past the residence of M. Y. Patrick; thence in a northerly direction with the west line of said Liverpool road to the line between said townships; thence with said township line in a westerly direction to the place of beginning.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 172.]

AN ACT

To authorize the council of the village of Niles, Trumbull county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Niles, Trumbull county, Ohio, is hereby authorized to transfer the following funds, to wit: Forty dollars and sixteen cents out of the military fund, eighteen hundred dollars out of the general fund, and two hundred dollars out of the police fund; twelve hundred into the street fund, and the remainder of said sums (eight hundred and forty dollars and sixteen cents) into the fire fund of said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[Senate Bill No. 180.]

AN ACT

To amend section 2 of an act entitled "an act to enable the board of education of Uniontown special school district to afford aid to the Fultonham academy," passed April 8, 1880, to authorize said board to make an additional levy for school purposes, and to repeal section 3 of said recited act.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section two of the act passed April 8, 1880, entitled "an act to enable the board of education of Uniontown special school district to afford aid to the Fultonham academy," be so amended as to read as follows:

Section 2. That said board of education is hereby authorized and empowered to pay out of the public school fund of said special school district to the Fultonham academy, for tuition, so much money which, together with the amount received by said academy as tuition from persons attending the same as pupils, shall be sufficient to pay the teachers employed by said academy; provided, the amount so paid by the said board of education in any one year shall not exceed the sum of six hundred dollars; and provided further, that all children of school age residing within the limits of said special school district who shall have acquired the necessary qualifications for admission to said academy, shall be admitted and instructed therein free of tuition.

SEC. 3. That said board of education of the Uniontown special school district be and it is hereby authorized to levy for school purposes in addition to the seven mills now authorized by law to be levied, the additional rate of three mills on the dollar, upon all property included within the present boundaries of said Uniontown special school district and not exempt by law from taxation.

SEC. 4. That section 3 of the said act, passed April 8, 1880, be and the same is hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[House Bill No. 374.]

AN ACT

Authorizing the board of education of the village of Middlepoint, Van Wert county, Ohio, to issue bonds to aid in the erection of normal school buildings, and to provide means of higher education of the youth of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That for the purpose of aiding in the erection of normal school buildings in the village of Middlepoint, Van Wert county, Ohio, and to afford facilities for the higher education of the youth of the school district of said village of Middlepoint and the territory thereto attached for school purposes, the board of education of said school district is hereby authorized to issue the bonds of said school district, signed by the president and

clerk thereof, for an amount not exceeding five thousand dollars, payable in ten annual payments of five hundred dollars each, commencing not later than two years from the date of selling the same. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, to be paid semi-annually, and shall not be sold for less than their par value, and shall not bear interest until sold; and the money realized from the sale of said bonds shall be used by said board of education to aid in the construction of normal school buildings within said school district in connection with the Middlepoint normal school association company of Middlepoint, Ohio.

SEC. 2. For the purpose of paying the bonds issued under section one of this act, and the interest thereon as the same shall become due, said board of education shall annually levy a tax on the taxable property in said school district sufficient therefor.

SEC. 3. The clerk of said board of education shall keep a record of said bonds, showing the number, amount and date of each, when due, and the rate of interest, and when paid they shall be taken up and canceled and the fact noted on the record.

SEC. 4. Said bonds shall not be issued, nor said tax assessed until the question shall be submitted to the voters of said school district at a general or special election, of which at least ten days' notice shall be given by written or printed notices posted up in at least five public places in said school district; at said election all voters desiring to vote in favor of issuing said bonds and levying said tax shall have written or printed on their ballots, the words, "Normal school—Yes;" and all voters desiring to vote against issuing said bonds and levying said tax shall have written or printed on their ballots the words, "Normal school—No." No bonds shall be issued nor no taxes levied under this act unless two-thirds of the votes cast at said election shall be favorable thereto.

SEC. 5. Said election shall be held and controlled by said board of education at the usual places of holding elections in said school district, and the polls shall be kept open at least five hours, closing at six o'clock P. M. The clerk of said board of education shall be clerk of said election, and shall enter a complete record of said election on the records of said school district, and shall file and preserve all poll-books, tally-sheets and other papers pertaining to said election.

SEC. 6. No part of the funds resulting from the sale of said bonds shall be used for said purposes until said board of education and the trustees of said Middlepoint normal school association company shall have agreed upon plans for said normal school buildings, nor until said trustees shall have entered into a contract in behalf of said association with said board of education to the effect that all the youth of said school district, of school age, who shall desire to pursue the branches of study taught in said normal school shall have the right to attend said normal school and be instructed in all such branches of study, without the payment of tuition.

SEC. 7. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 27, 1884.

[House Bill No. 216.]

AN ACT

To authorize the council of the village of Boston, Clermont county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Boston, Ohio, be and the same is hereby authorized to transfer from the police fund one hundred and nine dollars and ninety-seven cents; from the prison fund, two hundred and fifty-five dollars and nineteen cents; and from the general fund, one hundred and thirty-six dollars and eighty-four cents, to the town hall fund of said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 31, 1884.

[House Bill No. 330.]

AN ACT

To authorize the council of the village of Corning, Perry county, Ohio, to borrow money and issue bonds for the purpose of procuring fire apparatus and build cisterns.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Corning, Perry county, Ohio, be and the same is hereby authorized to procure a fire apparatus and build cisterns.

SEC. 2. That for the purpose of paying for said apparatus and cisterns, the council of said village is hereby authorized to issue the bonds of said village, in an amount not exceeding two thousand dollars, in denominations of four hundred dollars each, signed by the mayor and clerk of said village.

SEC. 3. Said bonds shall bear interest at the rate of six per cent. per annum from April 1st, 1884, and shall become due and payable as follows: one on the 1st day of April, 1885, and one on the 1st day of April of each succeeding year, until all of said bonds shall be paid.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 31, 1884.

[House Bill No. 383.]

AN ACT

To provide for the collection of certain taxes in Logan and Shelby counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the treasurer of Shelby county shall hereafter collect all free turnpike assessments until the same are all paid on the lands transferred from Logan to Shelby county by the act of April 11, 1883, and when so collected shall pay the same over to the treasurer of Logan county, taking his proper vouchers therefor, and the treasurer of Logan county shall collect all free turnpike assessments until the same are all paid on all the lands transferred from Shelby to Logan county by said act, and when so collected, shall pay the same over to the treasurer of Shelby county, taking his proper voucher therefor.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed March 31, 1884.

[House Bill No. 519.]

AN ACT

To amend sections one and two of an act entitled "an act to establish a police force in the city of Xenia," passed March 25, 1880. (O. L., 77, p. 350.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections one and two of the act entitled "an act to establish a police force in the city of Xenia," passed March 25, 1880, be and the same are hereby amended so as to read as follows:

Section 1. The mayor of the city of Xenia, with the advice and consent of the common council thereof, shall, within ten days after the passage of this act, appoint a board of three police commissioners for said city, who shall be electors thereof, to serve until the first Monday in April, 1885, and until their successors are elected, or appointed and qualified; and on the first Monday of April, 1885, there shall be elected, by the electors of said city, three such commissioners, who shall serve, one for one year, one for two years, and one for three years, and until their successors are elected, or appointed and qualified; and thereafter, annually, one such commissioner, to serve for the term of three years, beginning on the first Monday of April, 1886; and any vacancy in said board shall be filled by the appointment of the mayor of said city, with the advice and consent of the common council thereof, for the unexpired term. Said commissioners, before entering upon their duties, shall take an oath of office for the faithful and efficient discharge of their duties to the best of their ability. They shall establish rules not inconsistent with law, for their own government; meet regularly, and not less frequently than once per month, at a room to be provided by the council of said city for the purpose, and shall serve without compensation; provided, said council shall provide them with light, fuel, record-books and

stationery. On the first Monday of April, 1884, the present board of police commissioners shall cease and determine, and from said date until the organization of the board herein provided for, the police force of said city shall be under the direction and control of the city council.

SEC. 2. Said board shall hold its first meeting on the second Monday of April, 1884, and annually thereafter, shall appoint from its members a president and secretary, by whom all orders and papers issued by authority of the board shall be signed. The secretary shall keep a record of the proceedings of the board in a book kept by him for that purpose. At said first meeting, said board shall elect by ballot, to serve during good behavior, or until removal, from the electors of said city, one chief of police, and at any time it may in like manner elect as many patrolmen as it may deem necessary for the protection of persons and property and the preservation of order within said city; provided, that the number thereof shall at no time exceed eight, unless by the concurrence of said council. And said board may at any time diminish the number of patrolmen if, in its opinion, the public interest requires it.

SEC. 3. Sections one and two of said act, passed March 25, 1880 (O. L. vol. 77, p. 350), be and the same are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 31, 1884.

[House Bill No. 273.]

AN ACT

Supplementary to an act entitled "an act to authorize the trustees of Findlay township, Hancock county, to levy a tax to macadamize and improve the roads and highways in said township," passed and took effect May 13, 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Findlay township, in Hancock county, be and they are hereby authorized to assess and levy upon the taxable property of said township, a tax not exceeding three mills upon the dollar of valuation in any one year, in addition to the amount of tax now authorized by law, for the purpose of completing the macadamizing already commenced upon said roads and highways in said township, and for no other purpose. The question of levying said tax and of completing said work shall be submitted to a vote of the qualified electors of said township at the regular spring election on the first Monday of April, 1884. The tickets voted at said election shall have written or printed thereon the words, "Taxation for road improvements—Yes;" or, "Taxation for road improvements—No;" and a majority vote in favor of such taxation shall authorize the levying of said tax and completion of said work; and it shall be the duty of the trustees of said township to publish a notice of the submission of said question in two newspapers published in said township for at least ten days prior to said election.

SEC. 2. Said tax hereby authorized shall be collected as other taxes upon the grand duplicate of the county, and shall be paid in money,

and shall be a township road fund under the control and application of the said township trustees, and shall be by them applied in completing the macadamizing on roads and highways in said township; provided, that no levy shall be made under this act after the year A. D. 1885.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed March 31, 1884.

[House Bill No. 199.]

AN ACT

To create a special school district in Logan and Moulton townships, Auglaize county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the territory comprised in Logan and Moulton townships, Auglaize county, Ohio, described and bounded as follows, to wit: Beginning at the west quarter section line of section nine (9), town five (5), south of range five (5), east on the line of said township; thence north to the Kossuth turnpike road; thence east on said pike to the middle section line of section four (4), of same township and range; thence north on said line to the north line of section four (4); thence east along the north line of said sections four (4), three (3), and part of two (2), all same town and range, to the Auglaize river; thence southwardly up said river, with the meanderings thereof, to the half-section line of said section two (2); then east on said half-section line to the north-east corner of the west half of the south-east quarter of said section two (2); thence south to the south line of said township of Logan; thence west along said south line to the Auglaize river; thence southwardly along said river, with the meanderings of the same, to the south line of section ten (10), Moulton township, Auglaize county, Ohio; thence west on said south line to the east quarter section line of section nine (9), Moulton township; thence north on said line to the township line; thence west on township line to the place of beginning, be and the same is hereby erected and declared to be, and to constitute, a school district, to be known as the Buckland special school district.

SEC. 2. Such special school district shall be entitled to receive its proportionate share of school funds and the funds levied for school-house and incidental expenses, in accordance with the enumeration of the year 1883, of children who are entitled to attend school; said funds being those now collected within the county or township treasuries, and shall be governed by such laws as now are, or may hereafter be in force, relating to special school districts.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 2, 1884.

[House Bill No. 450.]

AN ACT

To authorize the city of Lancaster, in the county of Fairfield, Ohio, to borrow money and issue bonds for the purpose of building a market-house in said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the coun·il of the city of Lancaster, Fairfield county, Ohio, be and the same is hereby authorized to build a market-house in and for said city of Lancaster, and to raise money, not exceeding twenty-five thousand dollars, in the manner hereinafter provided.

SEC. 2. The council of said city are hereby authorized to issue bonds, not exceeding in amount the sum of twenty-five thousand dollars, which may be used in payment of material, work and labor to be performed in the building of said market-house for the use of said city, and said bonds shall not be sold for less than their par value thereof, and the proceeds of such sale shall be applied to sa d purpose.

SEC. 3 Said bonds as aforesaid authorized to be issued shall be signed by the mayor of said city, and countersigned and registered by the city clerk of said city, and may be issued in denominations of not less than fifty dollars or more than five hundred dollars, bearing interest at the rate of six per cent. per annum, payable annually, the principal and interest to be paid in two, three. four, five, six, seven, eight, nine, ten and eleven years from the time of issuing said bonds, and in such amounts each year as the council of said city may direct.

SEC. 4. For the payment of the interest and principal of said bonds as the same shall become due, the council of said city are hereby authorized and required to levy a tax on all taxable property within the corporate limits of said city, in such amounts as will each year meet the interest and principal then falling due upon said bouds, which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SEC. 5. Before the council of said city shall have the right to issue said bonds, the question of issuing the same shall be submitted to the qualified electors of said city, at a regular or special election called by said council of said city, of which at least ten days' notice shall be given in any newspaper published and of general circulation within the limits of said city, of the time and place of holding such election; and if two-thirds of the electors voting at said election on said question, shall vote in favor of the same, then, and not otherwise, shall the council of said city be authorized to issue said bonds, as hereinbefore provided. Those voting in favor of the erection of a market-house shall have written or printed on their ballots, "For the issue of bonds for a market-house—Yes;" and those voting against the erection of a market-house, shall have written or printed on their ballots, "For the issue of bonds for a market-house—No."

SEC. 6. Said election shall, in all respects not otherwise herein provided, be held and conducted the same as municipal elections are now required by law to be held in said city.

SEC. 7. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed, April 2, 1884.

[Senate Bill No. 134.]

AN ACT

To authorize the payment and transfer, by the county commissioners of Sandusky county, Ohio, of funds raised by taxation or otherwise, to build a monument or other memorial structure to perpetuate the memory of soldiers who served in the union army during the late rebellion.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Sandusky county be and they are hereby authorized to deliver and transfer to the Sandusky County Soldiers' Monumental Association such moneys as have been raised by taxation or otherwise in said county, or may be raised under the levy already authorized, for the purpose of erecting a monument or other memorial structure to perpetuate the memory of soldiers who served in the union army during the late rebellion; provided, such county commissioners shall require security that the said moneys shall be employed for the purpose of a monument or monumental structure as aforesaid, and not otherwise.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 2, 1884.

[House Bill No. 285.]

AN ACT

To authorize the council of the village of Lucas, Richland county, Ohio, to borrow money and issue bonds for the purpose of procuring fire apparatus.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Lucas, Richland county, Ohio, be and the same is hereby authorized to procure a fire apparatus and building necessary for the preservation of the same.

SEC. 2. That for the purpose of paying for said apparatus and building, the council of said village is hereby authorized to issue the bonds of said village in an amount not to exceed one thousand ($1,000) dollars for a length of time not to exceed ten (10) years, and at a rate of interest not to exceed six per cent. per annum, payable annually. Said bonds shall not be sold for less than their par value, and the proceeds thereof shall not be applied to any other purpose than that herein mentioned; said bonds shall be signed by the mayor of said village, and attested by said village clerk under the seal of the corporation.

SEC. 3. The council of said village is hereby authorized and required to levy a tax, to be collected as all other taxes are, on all the taxable property within the corporate limits of said village, sufficient to pay said bonds and the interest thereon as the same may become due.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 2, 1884.

[House Bill No. 287.]

AN ACT

To authorize the commissioners of Brown county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Brown county, Ohio, be and they are hereby authorized to construct the following free turnpike roads: Beginning at a point where the Augusta dirt road intersects the Bullskin and Feesburg free turnpike near Barr's school-house; thence with said Augusta road as near as practicable, by way of Martin's school house, Eden M. E. church and cemetery, to a point where the dirt road intersects the Ohio pike near Bald point.

SEC. 2. That said county commissioners may, if they deem best, issue bonds for the construction of this road; provided, said bonds bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and shall be sold according to law, at not less than their par value.

SEC. 3. That said commissioners shall, before proceeding to construct said road, or any part of the same, require and secure from those interested in said improvement, a subscription or donation equal in amount to twenty per cent. of the costs of said improvement, to aid in the construction of the same.

SEC. 4. That for the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding one-fourth of one mill on the dollar annually, on any and all property in said county on the tax duplicate.

SEC. 5. That a majority of the said board of commissioners shall, at a regular session, be necessary to agree upon specifications, and order said improvements, or any part thereof.

SEC. 6. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 2, 1884.

[House Bill No. 340.]

AN ACT

To amend "an act to authorize the commissioners of Pickaway county, Ohio, to build a bridge across Big Darby creek, in Darby and Scioto townships, of said county, and to levy a tax for the purpose," passed February 21, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section one of the above recited act be amended so as to read as follows:

Section 1. That the commissioners of Pickaway county, Ohio, be and they are hereby authorized to construct a bridge across Big Darby creek, in Darby and Scioto townships, of said county, just below the mill on said Darby creek, near Harrisburg, where the old state road running from Harrisburg to Commercial Point crosses said creek, or at a place known as the Kepler ford across said creek in said county.

SEC. 2. That said original section is hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 2, 1884.

[House Bill No. 373.]

AN ACT

Authorizing the trustees of Adams township, Lucas county, to levy a ditch tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Adams township, Lucas county, be authorized to levy, in 1884, a tax for ditch purposes, not exceeding two-tenths of a mill on the dollar.

SEC 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 2, 1884.

[House Bill No. 416.]

AN ACT

To authorize the trustees of Lick township, Jackson county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Lick township, Jackson county, Ohio, be and they are hereby authorized to transfer one thousand dollars of the surplus funds now in the poor fund, to the road fund of said township.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 2, 1884.

[House Bill No. 397.]

AN ACT

To provide for the construction and completion of a bridge across the Scioto river in Jackson township, Pike county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Pike county, Ohio, for the purpose of constructing and completing a bridge located at Foster's Ferry near Sharonville across the Scioto river in Jackson township, Pike county, Ohio, be and are hereby authorized to issue bonds of said county, in such a sum as they may deem necessary, not to exceed the sum of ten thousand dollars ($10,000), said bonds to be in denominations of one hundred dollars ($100) each, payable at such times and dates within six (6) years from the date of their issuance, as said commissioners may determine, and to bear interest at the rate of six (6) per centum per annum, payable semi-annually, and not to be disposed of at less than par value.

SEC. 2. That for the purpose of paying said bonds and interest thereon when the same becomes due, said commissioners are hereby authorized to levy a tax at each June session of said board, upon all the taxable property of said county.

SEC. 3. That the act entitled "an act to provide for the completion of a bridge across the Scioto river near Sharonville, Pike county, Ohio, and to pay certain indebtedness created by reason thereof," passed April 16, 1883, be and the same is hereby repealed.

SEC. 4. This act to take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 2, 1884.

[House Bill No. 381.]

AN ACT

To authorize the board of commissioners of Highland county, Ohio, to release or compromise a judgment against the Columbus and Maysville Railroad Company for taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Highland county, Ohio, be and

they are hereby authorized, in their discretion, to release to or compromise with the board of directors of the Columbus and Maysville railroad company a certain judgment of the court of common pleas of Highland county, Ohio, against said railroad company obtained by the treasurer of said county for taxes and penalty, amounting to twelve hundred and eighty-six dollars and sixty-six cents ($1286\frac{66}{100}$), and being case No. 3702 in said court.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 2, 1884.

[House Bill No. 363.]

AN ACT

To authorize and empower the trustees of Springfield township, Clarke county, Ohio, to erect in the city of Springfield a township house, and to borrow money and issue bonds to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Springfield township, Clarke county, Ohio, be and they are hereby authorized and empowered to build, in the city of Springfield, in said township, a township house, at a cost not to exceed five thousand dollars.

SEC. 2. Said trustees, for the purpose of defraying the expenses of the erection of said township house, be and they are hereby authorized to issue the bonds of said township, not to exceed the sum of five thousand dollars, in the aggregate, and in such sums and payable at such times not exceeding ten years from the date thereof, as, in the judgment of said trustees, will subserve the best interest of said township, and at a rate of interest not exceeding six per cent. per annum, and be signed, advertised, and sold according to law.

SEC. 3. That for the purpose of meeting the annual interest on said bonds and the principal sums as they fall due, said trustees are authorized to levy a tax on all taxable property of said township, in addition to what they are now by law authorized to levy, of one-tenth ($\frac{1}{10}$) of a mill on the valuation of the property of said township.

SEC. 4. This act shall be in full force and effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 2, 1884.

[House Bill No. 435.]

AN ACT

To repeal an act entitled "an act to authorize the commissioners of Seneca county, Ohio, to transfer funds from the tax on dogs to Seneca county agricultural society to pay its indebtedness, and to improve and add to its grounds," passed March 17, 1881.

SECTION 1.. *Be it enacted by the General Assembly of the State of Ohio*, That the act entitled "an act to authorize the commissioners of Seneca county, Ohio, to transfer funds from the tax on dogs to Seneca county agricultural society to pay its indebtedness, and to improve and add to its grounds," passed March 17, 1881, be and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 2, 1884.

[House Bill No. 458.]

AN ACT

To authorize the trustees of Scipio township, Seneca county, Ohio, to sell the present town hall and issue bonds and levy taxes to build a new town hall in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Scipio township, Seneca county, Ohio, are hereby authorized to sell at public auction the present town hall buildings in said township. Said trustees shall give at least twenty days' notice of such sale prior thereto, by posting notice thereof in at least five public places in said township.

SEC. 2. The trustees of said township are hereby authorized to issue the bonds of said township in a sum not to exceed six thousand dollars ($6,000), for the purpose of constructing a new town hall building on the site now occupied by the present town hall; said bonds shall be in denominations of two thousand dollars ($2,000) each, payable as follows; two thousand dollars, January 1st, 1885, two thousand dollars, January 1st, 1886, two thousand dollars January 1st, 1887, and said bonds shall bear interest at the rate of six per cent. per annum.

SEC. 3. Said bonds shall be signed by the said trustees, or any two of them, and countersigned by the clerk of said township, and shall be sold according to law.

SEC. 4. For the purpose of paying the principal and interest of said bonds each year, the trustees of said township shall annually levy a tax upon the taxable property of said township.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 2, 1884.

[House Bill No. 329.]

AN ACT

To authorize the auditor of Morgan county to sell certain school lands in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of Morgan county be and he is hereby authorized to summon three disinterested freeholders of the said county, who, after being duly sworn, shall appraise at its value in money the following lands and tenements, situate in said Morgan county, to wit: Sub-division No. (1) one of section sixteen (16) town eight (8) range twelve (12), Ohio Company's purchase, bounded as follows: beginning at the south-east corner of said section one, thence north 2° 05' east forty-four (44) poles to a stone; thence south 84° west thirty-two and $\frac{80}{100}$ poles; thence 2° west thirty-nine and $\frac{44}{100}$ poles; thence south 86° 10' east thirty-two and $\frac{48}{100}$ poles to the place of beginning, and containing eight and $\frac{47}{100}$ acres, be the same more or less. After such appraisement has been made and returned to the auditor in writing, it shall be the duty of the auditor to advertise said lands for sale in some newspaper published and of general circulation in said county, giving notice of the time and place of such sale, for five consecutive issues of such newspaper, and at the time and place in such notice specified, the said auditor shall sell the said land to the highest and best bidder at not less than two-thirds of the appraised value thereof, and shall give to such purchaser a certificate of such sale and the consideration therefor, and that the purchaser has paid to the county auditor the consideration therefor, and upon presentation of such certificate to the governor of Ohio, the governor shall execute a deed to each purchaser conveying said lands in fee simple to such purchaser, and the proceeds of such sale, after deducting necessary expenses, shall be deposited in the treasury of the state of Ohio, to the credit of said township eight, range twelve, the same as other proceeds of the sale of section (16) sixteen in said township.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 417.]

AN ACT

Authorizing the trustees of Miami township, Hamilton county, to make a special levy for road purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Miami township, Hamilton county, are hereby authorized and empowered, for the purpose of improving and repairing the public roads of said township, to levy upon the duplicate of said township, a tax of not exceeding five mills for not more than three consecutive years, beginning with the year 1884. Said levy to be collected and paid as

other taxes and returned to the treasury of said township, and expended between the 1st day of May and the 1st day of September of each year under the sole direction, supervision and control of the township trustees, by sale of jobs or contracts for the construction or repair of the roads in sections, let to the lowest responsible bidder after ten days' notice, by publication in some newspaper of general circulation in said township, or otherwise by posting bills or written notices. Said contractors to execute a sufficient bond, payable to said trustees, conditioned upon the faithful and punctual performance of said contract.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 185.]

AN ACT

To transfer territory from Deerfield township, Morgan county, to Bearfield township, Perry county, for school purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That so much of Deerfield township, Morgan county, included in the following description, beginning in the north-west corner of the north-west quarter of section nineteen of township nine of range thirteen; thence east twenty-one chains and sixteen links; thence south one hundred and sixty rods to the south line of said quarter; thence east fifty rods to the north-east corner of the south-west quarter of section, township, and range aforesaid; thence south sixty-seven rods to the road leading from Portersville to McConnellsville; thence north-west along said road to the Perry county line; thence north on said line to the place of beginning, containing one hundred and thirty-two acres of land in Morgan county, be transferred for school purposes to sub-district number four, Bearfield township, Perry county.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 482.]

AN ACT

To authorize the city of Columbus to construct, maintain and keep in order and repair a dam across the Scioto river, and to issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That authority and permission be and the same is hereby granted to the city

of Columbus, in the county of Franklin, in said state of Ohio, to construct, maintain, and keep in order and repair a dam across the Scioto river, upon the site of the Moler's mill dam, south of and near said city, in said Franklin county.

SEC. 2. That the jurisdiction of said city of Columbus, to prevent and punish offenses committed against such dam so to be constructed, and to maintain, keep in order and repair, and protect said dam, and for all purposes for which said city has jurisdiction within its corporate limits, be and the same is hereby extended beyond the corporate limits of said city, so as to include and embrace the territory covered by said dam and its appurtenances.

SEC. 3. That said city of Columbus be and is hereby authorized and empowered, for the purpose of constructing the dam aforesaid, to issue the bonds of said city, for a sum not exceeding three thousand dollars, to run for such length of time, not exceeding three years, and to bear such rate of interest, not exceeding six per centum per annum, payable annually or semi-annually, all as said council may determine, and said bonds shall in all respects be made and disposed of as may be provided by the laws of the state of Ohio in that behalf, and the proceeds thereof shall be used and applied exclusively to the purposes for which they are issued.

SEC. 4. For the purpose of paying the principal and interest of the bonds so to be issued, the city council of said city of Columbus is hereby authorized and empowered to levy annually, upon all the taxable property of said city, a tax not exceeding one-tenth of one mill in any one year, upon each dollar of valuation thereof, additional in amount and rate to the aggregate amount and rate of all taxes now or hereafter to be levied or ordered by said corporation.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 282.]

AN ACT

To authorize lessees of ministerial section twenty-nine, in Madison township, Vinton county, Ohio, to surrender their leases and receive deeds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the lessees, assignees or other equitable holders of any part or parcel of ministerial section twenty-nine, in original township number ten of range number sixteen of the Ohio company's purchase in Vinton county, be and they are hereby authorized to surrender their leases, whether holding by original lease, by assignment, or sub-lease or in whatever other form, and purchase the fee simple of said lands, in the manner prescribed by law, for the surrender of such lands (see "an act to regulate the sale of school lands and the surrender of permanent leases thereto,"

passed April 16, 1852). Provided, that it shall not be necessary to take a vote of said township for the surrender of said leases.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 268.]

AN ACT

For the relief of George Dickman, an ex-treasurer of Brown township, Carroll county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township trustees of Brown township, Carroll county, Ohio, be and are hereby authorized to pay out of the township treasury, and out of the township funds to reimburse George Dickman, ex-township treasurer, the sum of nine hundred and eighty-six dollars and seventy-nine cents, paid by him as bondsman for a defaulting township treasurer of said township, and said trustees are hereby authorized to levy a tax upon the taxable property of said township in sufficient amount to realize from said levy the aforesaid sum.

SEC. 2. That before said trustees shall pay said sum of money, or levy such tax as provided for in section one of this act, they shall submit to the qualified voters of said township at an annual election, ten days' notice of which shall be given before the day of said election, by written or printed posters in at least five public places in said township, for the proposed relief of said George Dickman.

SEC. 3. The voters of said township desiring to vote for such relief, shall have written or printed upon their ballots the words, "For the relief of George Dickman—Yes." Those desiring to vote against such said relief, shall have written or printed upon their ballots the words: "For the relief of George Dickman—No;" and if a majority of the voters of said township shall favor by their vote, the relief of the said George Dickman, then in that case the said trustees shall pay the said George Dickman the said sum mentioned in section one of this act, and levy a tax as therein provided.

SEC. 4. This act to take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 207.]

AN ACT

To authorize the board of public works of the state of Ohio to sell a certain parcel of real estate in Newark, Ohio, and to make a conveyance therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of public works of the state of Ohio are hereby authorized, in case said board shall find it for the public interest so to do, to sell at public or private sale or lease that certain parcel of land situate in Newark, Licking county, Ohio, containing one hundred and thirty-five square rods, and being the same premises conveyed to the state of Ohio by Abel Hildreth by deed dated June 20, 1848, and recorded in the recorder's office of said county, in volume 54, pages 391 and 392, and a deed or deeds to purchaser or purchasers to execute in fee simple.

If said lands shall be sold at public sale, the same forms substantially shall be observed as in sales by sheriffs on execution. The deed shall be sufficient if executed by the president of the board and the secretary thereof.

SEC. 2. The proceeds of the sale of said lands shall be paid to the treasurer of state to the credit of the canal fund thereof, the costs of sale being first deducted.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 511.]

AN ACT

To authorize the council of the village of New Bremen, Auglaize county, Ohio, to issue bonds for the payment of certain debts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of New Bremen, Auglaize county, is hereby authorized to issue bonds, not exceeding in amount the sum of five thousand dollars, for the purpose of paying debts accrued by buying new fire aparatus and fixtures.

SEC. 2. Said bonds shall be signed by the mayor and countersigned by the clerk of said village, and may be issued in denominations of not less than fifty nor more than two hundred dollars. Said bonds shall bear interest at a rate not exceeding six per cent. per annum, payable annually, and shall not be sold for less than their par value, in the manner provided for by law.

SEC. 3. For the payment of the principal and interest of the said bonds, as the same shall become due, the council of said village is hereby authorized and required to levy a tax on all taxable property of said village, in such assessments as will each year meet the principal and interest then falling due upon said bonds.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 488.]

AN ACT

To authorize the council of the city of Mount Vernon, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the city of Mount Vernon, Knox county, Ohio, be and is hereby authorized to transfer any funds, now in the police fund, and not needed for that purpose, and not exceeding one thousand dollars ($1,000), into the public square fund of said city.

SEC. 2. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 351.]

AN ACT

To authorize the commissioners of Hardin county, Ohio, to levy an additional tax for pike improvement, and county fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hardin county, Ohio, be and they are hereby authorized to levy a tax upon all the taxable property of said county, of five-tenths of one mill, for the years of 1884 and 1885, for pike improvement; said levy to be deducted from the three-mill pike building levy now authorized by law; also to levy a tax on all taxable property of said county of one-half mill for county purposes, for the years of 1884, 1885, and 1886, said levies to be in addition to what said commissioners are now by law authorized to levy.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 129.]

AN ACT

Supplementary to the act of April 18, 1880, entitled "an act to authorize the trustees of certain townships in Putnam county, state of Ohio, to levy taxes to improve the public highways in said townships, and for other purposes."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of trustees of Blanchard township, Putnam county, in the state of Ohio, be and are hereby authorized and empowered to levy and assess upon the taxable property of said township, for a period not exceeding three years, a tax not exceeding one mill in any one year, upon the dollar valuation of said property, in addition to all other taxes now authorized by law, for the time and purpose in section one of said original act set forth, and to which this act is supplemental, and for the purpose of paying accrued and accruing interest and other expenses incidental to the construction of said highways.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 146.]

AN ACT

Authorizing the commissioners of Hamilton county to levy a tax to repair and complete Groesbeck road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, in addition to their other powers of taxation, be and they are hereby authorized and required to assess and collect upon the grand levy of the taxable property of said county, a tax of one-twenty-fifth of a mill, which shall be assessed in the year 1884, to be applied, as soon after collection as is practicable, to the repair and completion of Groesbeck road, between the corporation line of the city of Cincinnati and the corporation line of the village of College Hill, of Hamilton county, with a roadway of not less than thirty feet in width, and to conform as nearly as practicable to the original surveyed route of said road.

SEC. 2. This act shall take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 481.]

AN ACT

To authorize the county commissioners of Lucas county to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Lucas county, Ohio, be and they are hereby authorized to issue the bonds of said Lucas county, not to exceed in amount the sum of one hundred thousand dollars, bearing a rate of interest not to exceed six per cent. per annum, the interest payable semi-annually, and to dispose of the same from time to time at not less than their par value, and the same shall be payable in from five to ten years from the date thereof, but the same shall be redeemable in whole or in part, at the pleasure of the county commissioners of said county at any time after five years from their respective dates, upon giving six months' notice of their intention to redeem the same, in two newspapers published in the city of Toledo, Ohio. Said bonds may be issued in sums of one hundred dollars, or its multiple, and at such times and in such amounts as may be necessary to meet and discharge the liabilities and expenses of said county, and the same shall be signed by said commissioners and countersigned by the auditor of said county.

SEC. 2. That for the redemption of said bonds the county commissioners of said county are hereby authorized to levy taxes on all the taxable property in Lucas county for such years, and in such amounts, as they shall deem necessary, to meet and pay the interest and principal of such bonds as the same may become due and payable, or become redeemable as aforesaid.

SEC. 3. That upon the sale of said bonds the county commissioners and county auditor are hereby authorized to apportion the proceeds thereof to the several funds as may be required by the necessities of said county.

SEC. 4. This act shall take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[Senate Bill No. 221.]

AN ACT

To provide for the sub-division of certain territory in Tymochtee township, Wyandot county, for school purposes, and to establish therein two sub-districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory in Tymochtee township, Wyandot county, to wit: Sections one and twelve, the east half of section eleven, the north half of section thirteen, the north-east quarter of section fourteen, and all that part of the east half of section two lying south of the Sandusky river, be and the same is hereby sub-divided, for school pur-

poses, into two sub-districts, to be numbered nine and twelve, respectively, to wit:

First: Beginning at the north-west corner of said section one; thence west one mile; thence south on the section line to the Sandusky river; thence down said river to the mouth of Sycamore creek; thence up said Sycamore creek to the township line; thence north on said line to the place of beginning; to be known as sub-district number nine.

Second: Beginning on the township line at the south-east corner of the north-east quarter of said section thirteen; thence west one and a half miles; thence north on the half-section line to the Sandusky river; thence down said river to said Sycamore creek; thence up said creek to the township line; thence south on said line to the place of beginning; to be known as sub-district number twelve.

SEC. 2. The foregoing section shall only take effect and become operative upon the approval of such sub-division by a majority of the qualified electors residing upon said described territory, to be expressed by ballot at an election to be called and held for that purpose at the school-house in said town of Mexico, upon not less than ten days' notice, to be given by the directors of said sub district number nine as now constituted, by posting written or printed notices of the time, place and purpose thereof, in at least five public places in said territory.

SEC. 3. The electors assembled at the time and place designated in said notices, shall appoint a chairman and two clerks, who shall act as judges of said election, which shall continue at least three hours, and shall not close before five o'clock P.M.; and the ballots used shall have printed or written thereon the words, "Two sub-districts—Yes;" or, "Two sub-districts—No;" and if a majority of the ballots so cast shall be in favor of such sub-division, then the said two sub-districts shall be established as provided in the first section, and shall be organized in the manner provided by law, and each of them shall be entitled to and shall receive its proportionate share of the school funds and of the funds levied for incidental purposes, in accordance with the apportionment made by the board of education of said township for the year 1883.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Passed April 3, 1884.

[House Bill No. 487.]

AN ACT

To authorize the agricultural society of Preble county, Ohio, to erect permanent buildings on the fair grounds in said county, and to provide for the payment of the indebtedness thereby incurred.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the agricultural society of Preble county, Ohio, be and is hereby authorized and empowered to erect permanent buildings on the fair grounds in said county, at a cost not to exceed thirty-five hundred dollars.

SEC. 2. That for the purpose of paying the indebtedness thereby incurred, the county commissioners of Preble county, Ohio, be and they are hereby authorized and empowered to issue bonds of said county, in such denominations as to them may seem proper, to the amount of three thousand five hundred dollars, bearing interest at a rate not greater than six per cent., and payable as follows: Two thousand dollars on the first day of September, 1885, and fifteen hundred dollars on the first day of September, 1886.

SEC. 3. For the purpose of raising money to pay said bonds, and interest thereon, said commissioners are hereby authorized to levy a tax sufficient to meet the same, in addition to the taxes now authorized by law.

SEC. 4. This act shall take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 352.]

AN ACT

[illegible] e the commissioners of Hardin county to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hardin county, Ohio, be and they are hereby authorized to transfer the sum of five thousand dollars from the Pike building fund to the Pike repair fund.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 396.]

AN ACT

To authorize the board of managers of the Van Wert agricultural society to issue bonds and mortgage its property.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the managers of the Van Wert County Agricultural Society be and are hereby authorized to issue bonds, not to exceed twenty-five hundred dollars, the said bonds to be made payable as follows: five hundred dollars in three years, five hundred dollars in four years, five hundred dol-

lars in five years, five hundred dollars in six years, five hundred dollars in seven years, from the first day of September, 1884, with interest from date, payable semi-annually, at the rate of six per cent. per annum, and shall be signed by the president and secretary of said society. The payment of said bonds and interest to be secured by mortgage on the real estate of said agricultural society. The bonds hereby authorized to be issued shall not be sold for less than their par value, and the proceeds shall be applied to the payment of the present indebtedness and improvement of said agricultural society.

SEC. 2. This act shall take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 365.]

AN ACT

To authorize the board of education of the special school district of the incorporated village of Greenville, Darke county, Ohio, to issue bonds to obtain money to complete a school-house in said school district, and to levy a tax to pay said bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Greenville special school district in Darke county, Ohio, and the territory annexed thereto for school purposes, be and they are hereby authorized to issue bonds not exceeding in amount ten thousand dollars, to raise money to complete a school-house in said district; said bonds to be signed by the president and clerk of said board of education, and to be in sums of five hundred dollars each, bearing interest at a rate not exceeding six per. cent. per annum, the principal and interest of said bonds to be payable as said board of education may direct, not exceeding six years from time of issuing the same. Said bonds to be sold according to law.

SEC. 2. That, for the purpose of paying said bonds and the interest thereon, as the same may become due, the said board of education is hereby authorized and empowered to levy a tax on the taxable property of said special school district of Greenville, Darke county, Ohio, and the territory annexed thereto for school purposes, not to exceed two mills, in such amount, annually, commencing in the year eighteen hundred and eighty-six (1886), as will be sufficient to pay the principal and interest of said bonds as they may become due in each year, as said board of education shall determine.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 368.]

AN ACT

To authorize the trustees of Ridgeville township, Lorain county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Ridgeville township, Lorain county, Ohio, be and they are hereby authorized to transfer the sum of not exceeding in the aggregate five hundred dollars, from the road fund of said township to the township fund of said township.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 3, 1884.

[House Bill No. 291.]

AN ACT

To authorize the board of education of Ada union school district to purchase additional school grounds for the use of said district, and to issue bonds to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Ada union school-district, in Hardin county, be and are hereby authorized to purchase additional school grounds for the use of said district, the cost of which shall not exceed two thousand dollars, and said board of education is hereby authorized to issue the bonds of said district for an amount sufficient to pay for said additional school grounds in said district, not exceeding the sum of two thousand dollars.

SEC. 2. Said bonds shall be issued by said board and signed by the president and countersigned by the clerk thereof, who shall keep record of the same, and shall be for a sum not exceeding one thousand dollars each, and payable, one, December 1, A. D. 1899, and one, December 1, A. D. 1900, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, on the first days of June and December, and shall not be sold for less than the par value, and the proceeds to be used for no other purpose than that herein named, and the said board shall provide by tax for the payment of said bonds and the interest thereon as the same shall become due. Provided, however, that before the additional school grounds are purchased, the proposition for such purchase shall be first submitted by the board of education to the qualified electors of said union school district at a general election or regular spring election, having given at least ten days' notice prior to said election, by posting notices in at least five public places in said union school district. The tickets to be voted at said election shall have written or printed thereon, "Purchase of additional school grounds—Yes;" or, "Purchase of additional school grounds—No;" and

if a majority of the electors voting on said proposition submitted, shall vote "Yes," then the purchase of additional school grounds may be made and bonds issued to pay for the same as provided for in this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 4, 1884.

[Senate Bill No. 182.]

AN ACT

To authorize the village of Ashville, Pickaway county, Ohio, to issue bonds for the purpose of building a mayor's office and village prison.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Ashville, Pickaway county, Ohio, be and is hereby authorized to issue the bonds of said village in any sum not exceeding in amount nine hundred dollars, for the purpose of building a mayor's office and village prison; said bonds to be payable in eight equal semi-annual payments, commencing April 1, 1885, to bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value.

SEC. 2. That the council of said village, for the purpose of paying said bonds and interest, is hereby authorized to levy a tax, in accordance with law upon all the taxable property of said village, to be certified to the county auditor, and collected as other taxes for village purposes.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 441.]

AN ACT

To divide Porter township, Scioto county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Porter, in the county of Scioto, be and the same is hereby divided into two election precincts, as follows: The first shall be known as the Sciotoville voting precinct, and shall be composed of the territory in said county [township] within the following boundary,

viz: on [all] the teritory west of the line beginning at the Ohio river at the north [mouth] of Lindsay hollow, following the same to the Webster turnpike; thence following said turnpike to the opposite side of the township. The second shall be known as the Wheelersburg voting precinct, and shall be composed of all the balance of said township east of the boundary line mentioned above.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 423.]

AN ACT

To create and establish an additional voting precinct in Washington township, Stark county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That there be and is hereby created and established an additional voting precinct in Washington township, Stark county, Ohio, comprising the following territory, to wit: Commencing at the north-east corner of section four; thence south along section line between sections four and three to south-east corner of section four; thence east along south line of section three to south-west corner of the south-east quarter of section three; thence south on quarter section line through sections ten and fifteen to north-west corner of north-east quarter of section twenty-two; thence west on section line between sections fifteen, twenty-two, sixteen and twenty-one, to north-west corner of section twenty-one; thence south on section line between sections twenty and twenty-one to north-west corner of south-west quarter of section twenty-one; thence west on quarter section line to the center of section twenty; thence south on quarter section line to south line of section twenty; thence west along south line of said section twenty to south-west corner of same; thence south along quarter section line to what is known as the Freeburgh road; thence west along said road to township line; thence north along township line to the north-west corner of said township; thence east along north line of township to the place of beginning; and to constitute and be known as the Maximo voting precinct, and the place of holding elections in said precinct shall be in the village of Strasburgh, said township; the remaining portion of said township to constitute voting precincts as heretofore.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 400.]

AN ACT

To authorize the city of Toledo, in the county of Lucas, and state of Ohio, to borrow money for park purposes, and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the city of Toledo, in the county of Lucas, and state of Ohio, be and is hereby authorized to borrow the sum of two hundred and fifty thousand dollars to be applied to the payment of the costs and expenses to be incurred in the purchase or appropriation, location and improvement of a park or parks in said city.

SEC. 2. That for the purpose aforesaid the said city of Toledo is authorized to issue bonds to be signed by the mayor of said city and attested by the clerk of common council of said city and the city auditor of said city, in sums of not less that one hundred dollars, and not more than one thousand dollars, the same to bear interest at a rate not exceeding six per cent., payable semi-annually; said bonds to be payable at such time or times not exceeding twenty years from the respective dates thereof, as said city of Toledo may determine; and which said bonds shall not be sold for less than their par value and accrued interest, and which said bonds may, in the discretion of said city of Toledo, have interest coupons attached.

SEC. 3. For the purpose of paying the bonds issued under sections one (1) and two (2) of this act and the interest thereon as the same shall become due, said city of Toledo shall annually, if necessary, levy a tax, in addition to what it is now authorized by law to levy, on all the taxable property in said city, sufficient therefor.

SEC. 4. The city auditor of the said city of Toledo, shall keep a record of said bonds showing the number, amount and date of each, when due, and the rate of interest; and when paid they shall be taken up and canceled, and the fact and date of such payment and cancellation noted on said record.

SEC. 5. Said bonds shall not be issued nor said tax levied or assessed until the question shall have been first submitted to the voters of said city of Toledo, at a general or special election, of which at least ten days' notice shall be given by publication in the corporation papers. At said election, all voters desiring to vote in favor of issuing said bonds and levying said tax, shall have written or printed on their ballots the words, "Issue of bonds for park purposes—Yes;" and all voters desiring to vote against said issuing of said bonds and levying said tax, shall have written or printed on their ballots the words, "Issue of bonds for park purposes—No."

No bonds shall be issued and no taxes levied under this act unless a majority of the votes cast in favor of or against said issue and levy shall be in favor of such issue and levy.

SEC. 6. In case such election shall result in favor of the issue of such bonds, the park commissioners of said city shall have power to make plats and surveys, to invite proposals for the sale or gift of lots or lands, and to make contracts for the purchase or gifts of lands for the purposes of parks and public grounds, and to institute and carry on proceedings in the name of said city, for the condemnation of lands for such purposes, and shall from time to time report their action and opinions on the premises to the city council for its consideration and action. But no such

purchase or condemnation shall be complete or binding on the city, until ratified by the city council.

SEC. 7. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 209.]

AN ACT

To authorize the commissioners of Franklin and Union counties, Ohio, to construct a turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Franklin and Union counties be and they are hereby authorized to expend any sum, not exceeding three thousand dollars from the road fund, [that] now or may hereafter be in the treasuries of said counties of Franklin and Union, to grade and gravel the public road known as the "post road" in said counties, from the Marysville and Dublin improved road, in a westerly course to the Madison county line, a distance of about one mile and three-eights, connecting with the Plain City road improvement; said road when completed to be a free turnpike road.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 360.]

AN ACT

To repeal an act entitled "an act to suspend the establishment of county ditches in Henry county, until January 1, A. D. 1885" (O. L., v. 80, p. 289.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "an act to suspend the establishment of county ditches in Henry county, until January 1, 1885," passed March 24, 1883, be and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 377.]

AN ACT

Authorizing the commissioners of Vinton county, O., to levy an additional tax for county purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Vinton county be and they are hereby authorized to levy upon each dollar valuation of the taxable property of said county, for county purposes, one-half of one mill in addition to all levies now authorized by law for county purposes. The same to be entered upon the grand duplicate of said county and collected in the same manner as other taxes are collected.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 479.]

AN ACT

To constitute a separate election precinct.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village of Lindsey, Sandusky county, Ohio, as incorporated, be and is hereby constituted a separate election precinct, to be known as Lindsey voting precinct.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 387.]

AN ACT

To refund to Jesse E. Reed, Patrick Lochary, and Bennet Roseman, late commissioners of Guernsey county, Ohio, certain moneys paid by them as individuals.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of Guernsey county be and he is hereby authorized and empowered to draw a warrant on the treasurer of said county for the sum of one hundred and twenty-three dollars and eighty-eight cents, in favor of Jesse E. Reed, Patrick Lochary, and Bennet Roseman, late commissioners of said county, being the amount of a judgment, costs and

expenses recovered against them individually, by one J. G. Ferbrache for damages sustained by driving into a culvert upon the public highway, while the same was undergoing repairs by direction of said board of county commissioners.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 480.]

AN ACT

To authorize the commissioners of Miami county to issue bonds and levy a tax for the purpose of building a court house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Miami county be and they are hereby authorized to borrow money, not to exceed the sum of one hundred and fifty thousand dollars, for the purpose of erecting a court house at Troy, the present county seat of said county.

SEC. 2. For the purpose of paying the amount mentioned in the first section of this act, said commissioners are authorized to issue the bonds of said county for said amount, in such denominations, and payable at such times as said commissioners may determine. Said bonds to bear interest at the rate of six per centum per annum, and shall not be sold for less than their par value.

SEC. 3. For the purpose of paying said bonds as the same shall mature, said county commissioners are hereby authorized to levy a tax, in addition to the taxes now authorized by law, upon all the property upon the grand duplicate of said county.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 464.]

AN ACT

To increase the levy for the purpose of continuing the schools in the special school district of Nelsonville, Athens county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of Nelsonville, in

Athens county, be and they are hereby authorized to levy a tax for the years 1884, 1885, and 1886, not exceeding three mills on the dollar, annually, on all the taxable property in said special school district, in addition to the levy now authorized by law for the continuance of the schools in said special school district; said tax to be levied and collected in the same manner as taxes for the common school fund are levied and collected.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro. tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 457.]

AN ACT

To authorize the county commissioners of Holmes county to transfer certain funds therein set forth.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Holmes county be and are hereby authorized to transfer from the county poor fund of said county, to the county fund of said county, a sum not to exceed the sum of fifteen hundred dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 507.]

AN ACT

To authorize the county commissioners of Summit county, Ohio, to make a special levy for bridge purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Summit county be and they hereby are authorized to levy and assess upon the tax duplicate of 1884, for bridge purposes, upon each dollar of the taxable valuation of the property of the county, in addition to the levies now authorized by law, the sum of one mill, for bridge purposes.

SEC. 2. That in anticipation of the collection of the tax so levied and assessed, the said county commissioners may issue the bonds of the county, in sums of not more than one thousand dollars each; said bonds

to bear interest at the rate of six per centum per annum, and to be paid, the one-half thereof, on or before the first day of March, 1885, and the remaining one-half on or before the first day of September, 1885, both principal and interest to be payable at the county treasury. Said bonds to be sold at not less than their par value. The bonds shall show the purpose for which they are issued, and state by what authority. They shall be signed by the county commissioners, or a majority of them, in their official capacity, and be countersigned by the county auditor, and he shall affix thereto his seal of office.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[Senate Bill No. 137.]

AN ACT

To authorize the village of Delphos, Allen and Van Wert counties, Ohio, to borrow money for street purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the village of Delphos, Allen and Van Wert counties, be and the same is hereby authorized to issue the bonds of said village, in a sum not exceeding thirty thousand dollars, in denominations of not less than one hundred dollars, bearing interest at a rate not exceeding six per centum per annum from the date of issue, payable semi-annually, for the purpose of macadamizing and improving the streets of said village.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village, and shall not be sold for less than their par value. The principal shall be payable after ten years from the date of the issue of the said bonds, in annual installments of two thousand dollars ($2,000); and the said village of Delphos is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and interest thereon as they become due, and the funds realized from the sale of said bonds shall be used by the council of said village for no other purpose than that specified in section one of this act.

SEC. 3. The question of issuing said bonds and levying said tax, and the improvement of said streets of the village of Delphos, shall be submitted to a vote of the qualified electors of said village. Said election to be called by the mayor of said village, when so directed by a majority vote of the council of said village; said election to be held at the usual voting places of said village. Notice of said election shall be given by publication in a newspaper printed in or of general circulation in said village at least ten (10) days prior to said election.

The tickets to be voted at said election shall have written or printed thereon the words: "Street improvement—Yes;" or, "Street improvement—No;" and a two-thirds vote at said election shall decide the question.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[Senate Bill No. 156.]

AN ACT

To authorize the commissioners of Pike county, Ohio, to issue bonds and pay certain indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the county commissioners of Pike county, Ohio, be and they are hereby authorized to issue bonds of said county, not to exceed the sum of fifteen hundred ($1,500) dollars, for the purpose of paying certain indebtedness created by said county in locating a bridge at Carr's Run, on the Scioto river, in said county, and in the construction of the "Waverly and Coopersville" free turnpike on the towing path of the "Ohio canal" in said county; said bonds to be issued in denominations of one hundred ($100) dollars each, payable in two years from the date of their issuance, and to bear interest from date at the rate of six (6) per cent. per annum, payable semi-annually, and not to be disposed of at less than their par value.

SEC. 2. That for the purpose of paying said bonds, said commissioners are hereby authorized to levy a tax, not to exceed one-half of a mill, upon all the taxable property of said county, at each June session of said board, till said bonds and interest thereon shall be paid.

SEC. 3. That the act entitled "an act to provide for the completion of a bridge across the Scioto river near Sharonville, Pike county, Ohio, and to pay certain indebtedness created by reason thereof," passed April 16, 1883, be and the same is hereby repealed.

SEC. 4. This act to take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 456.]

AN ACT

To divide Clay township, Ottawa county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Clay township, Ottawa county, be and the same is hereby divided into two election precincts by a line commencing at the half-mile post in the east line of section number thirteen, town seven, range thirteen;

thence running west on the half-section line through sections thirteen, fourteen, fifteen, sixteen, seventeen, and eighteen of said township, terminating at the half-mile post in west line of said section eighteen.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[Senate Bill No. 130.]

AN ACT

To authorize and require the commissioners of Belmont county to build a court house and jail.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Belmont county are hereby authorized and required to construct a court house and jail at such point at the county seat of said county as, in their judgment, may be deemed most for the public good, and plans and specifications for the same shall be determined upon and the contract or contracts let according to law, within six months after the passage of this act, which contract or contracts shall require the said building to be completed as soon as practicable, at a cost not to exceed one hundred thousand dollars.

SEC. 2. That the commissioners of said county, for the purpose of building said court house and jail, are hereby authorized to borrow such sum or sums of money as they shall deem necessary, at a rate of interest not to exceed six per cent. per annum, and issue bonds of said county to secure the payment of the principal and interest thereon; such interest shall be paid semi-annually, and the principal shall be paid at such times as the commissioners may prescribe, within twenty years from the date of such indebtedness; said bonds to be sold for not less than their par value.

SEC. 3. That the bonds so issued shall be signed by the commissioners, or any two of them, and countersigned by the auditor, with coupons attached, in sums of not less than one hundred nor more than one thousand dollars each, payable to the bearer, at the county treasury, with interest as aforesaid, at such times not exceeding twenty years after date, as the commissioners may prescribe, and such bonds shall specify distinctly the object for which they were issued.

SEC. 4. The commissioners shall, annually, at their June session, levy such tax as will pay the interest on such indebtedness, and the principal as it matures, not to exceed ten thousand dollars in any one year.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 448.]

AN ACT

To repeal an act entitled "an act to divide Liverpool township, Columbiana county, into two election precincts."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That an act entitled "an act to divide Liverpool township, Columbiana county, into two election precincts," passed March 22, 1881 (O. L., vol. 78), be and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[Senate Bill No. 177.]

AN ACT

To amend an act entitled "an act to incorporate the First Presbyterian Church of New Lisbon," passed March 7, 1836.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections three and five of an act entitled "an act to incorporate the First Presbyterian Church of New Lisbon," passed March 7, 1836, be and the same are hereby amended so as to read as follows:

Section 3. That on the fourth Saturday of April, 1884, the members of said society shall elect six trustees, three of whom shall hold said office for the term of one year, and three of whom shall hold said office for the term of two years; and annually thereafter, on the fourth Saturday of April, each and every year, there shall be elected by the members of said society three trustees, who shall hold said office for the term of two years, and in all cases until their successors shall be elected; and said corporation is empowered to provide, by by-laws, for the election of such other officers as may be deemed necessary and proper. And in case of any failure to elect officers as aforesaid, the trustees may call a meeting, at such time and place as they may think proper, for the purpose of electing such officers.

Section 5. That the trustees, or any two of them, shall have power to call a meeting of the corporation, either for the election of officers, or for the transaction of other business of the society, by giving, or causing to be given, to the society, immediately after public worship, five days' previous notice, or by giving notice by publication of the time and place of meeting in two newspapers published in the town of New Lisbon, ten days before such meeting.

SEC. 2. That original sections 3 and 5 of said act, passed March 7, 1836, be and the same are hereby repealed; and this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[Senate Bill No. 193.]

AN ACT

To authorize the commissioners of Mercer county, Ohio, to grade and gravel or macadamize a certain road therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Mercer county, Ohio, are hereby authorized to grade and gravel or macadamize a road on the following described route:

Beginning at the point where the Lake Erie and Western railroad crosses Main street in the village of Celina, Ohio; thence on the old road bed, or as nearly thereto as practicable, in a southerly direction on the west embankment of the Mercer county reservoir, to the point where the county road leading from the village of Montezuma, in said county to said village of Celina intersects said embankment.

SEC. 2. That said commissioners may issue bonds for the construction of said road, which bonds shall not bear interest at a higher rate than six per cent. per annum, payable semi-annually, and shall not be sold for less than their par value; said bonds shall be extended to such time as that they can be met by a levy of one mill on the dollar on the tax duplicate of said county.

SEC. 3. That for the purpose of paying said bonds, said commissioners are hereby authorized to levy a tax, not exceeding one mill on the dollar in any one year, on the taxable property of said county, which shall be collected as other taxes.

SEC. 4. Said commissioners shall adopt specifications and order said improvement, and may appoint a competent engineer, and thereafter shall, as far as practicable, conform to the requirements of section forty-eight hundred and forty-one of the revised statutes of Ohio.

SEC. 5. That on any extension of said improvement hereafter made under the road improvement laws of this state, all owners of lots and lands shall have the right to petition, and shall be assessed for such extension, as if such extension and the improvement herein authorized were then being constructed as one road improvement.

SEC. 6. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[Senate Bill No. 204.]

AN ACT

To authorize the council of the incorporated village of College Hill, in Hamilton county, to improve and repair the sidewalks and pavements of said village, and to provide for the payment of the same by general levy.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of College Hill, Hamilton county, Ohio, are hereby empowered to improve and repair all or any

of the pavements or sidewalks and curbings thereto, within the corporate limits of said village as now are or hereafter may be made and constructed, with such material and in such manner as said council shall direct, for the term of ten years.

SEC. 2. The cost of any or all such improvements or repairs as shall be hereafter made on any or all such pavements or sidewalks and curbings thereto, under the provisions of section one, shall be provided for by the council of said village at the same time the regular annual levy for taxation for corporation purposes in said village is made; said council shall have the power to levy not to exceed one mill for this special purpose annually for the period of said ten years.

SEC. 3. This act shall take effect from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 10, 1884.

[House Bill No. 476.]

AN ACT

To authorize the trustees of Ridgefield township, Huron county, to transfer funds and erect a township house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Ridgefield township, Huron county, are hereby authorized and empowered to transfer from the township and poor fund of said township, thirteen hundred dollars ($1,300); from the road fund of said township, fifteen hundred dollars ($1,500); and from the cemetery fund of said township, twelve hundred dollars ($1,200), to a fund to be known as the township house fund, to be used for the erection of a township house in said Ridgefield township.

SEC. 2. The question of the transfer of said funds and the erection of said township house shall be submitted to a vote of the qualified electors of said township, at the annual spring election to be held on the first Monday of April, A. D. 1884, or at a special election to be held at the usual place of holding elections, after due notice has been given as provided by law in the case of other township elections.

The tickets to be voted at said election shall have printed or written upon them the words, "Township house—Yes;" or, "Township house—No;" and if a majority of those voting upon said proposition shall have upon their ballots, "Township house—Yes," then said township trustees shall be empowered to make the transfer of funds, and to proceed to the erection of a township house, as provided in section one (1) of this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[House Bill No. 198.]

AN ACT

To authorize the trustees of Independence township, Cuyahoga county, Ohio, to levy a tax on said township, and issue bonds for the purpose of building and furnishing a hall in said township.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Independence township, Cuyahoga county, Ohio, be and are hereby authorized to issue bonds of said Independence township, in any sum not exceeding six thousand dollars, payable at any time within eight years, bearing a rate of interest not exceeding six per cent., interest payable annually, for the purpose of building and furnishing a town hall in said Independence township. Said bonds shall not be sold for less than their par value, and shall be signed by the trustees of said township, and be attested by the clerk of said township.

SEC. 2. For the purpose of raising the money to pay said bonds and the interest thereon as each matures, the said trustees are hereby authorized to levy a tax not exceeding one and one-half mills on the dollar, in any one year, on all of the taxable property in said township, in addition to the taxes now authorized by law to meet said indebtedness. Provided, that before said trustees shall issue said bonds or any part thereof, or levy said tax, they shall submit the question to the qualified electors of said township, at the general election in October, 1884; and they shall cause the clerk to give notice of the estimated cost of such hall, and the time and place of holding such election, by written notices posted up at not less than five conspicuous and public places within the township, at least thirty days before the day of holding said election; at said election, the electors voting shall have written or printed on their tickets the words, "Town hall—Yes;" or, "Town hall—No;" and if a majority of the ballots cast are in the affirmative, the trustees shall have the authority to issue bonds, sell the same, and levy a tax, as provided in this act. If a majority of said ballots be not in the affirmative, said trustees shall have no authority under this act to issue said bonds or levy said tax.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[House Bill No. 388.]

AN ACT

To authorize the board of education of the city of Akron, in the county of Summit, and state of Ohio, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education in the city of Akron, county of Summit, be and they are authorized to borrow the sum of fifty thousand dollars, to be

applied to the payment of the expense to be incurred in the erection and furnishing of school buildings in said city, and in purchasing sites therefor.

SEC. 2. That for the purpose aforesaid the said board are authorized to issue bonds, to be signed by the president and attested by the clerk of said board, in sums of not less than one hundred dollars and not more than one thousand dollars, bearing interest at a rate not exceeding six per centum, payable semi-annually; said bonds to be payable at such time or times not exceeding fifteen years from the respective dates thereof, as said board may determine, which said bonds shall not be sold for less than their par value, which said bonds may, in the discretion of said board, have interest coupons attached.

SEC. 3. That for the purpose of paying said bonds and interest thereon as the same shall become due, the said board of education are hereby authorized and empowered to levy on all the taxable property of the said school district, a tax for such an amount annually, not exceeding the maximum authorized by the general laws as will be sufficient to pay the principal of the debt evidenced by said bonds that shall fall due each year, and also the interest falling due semi-annually on the bonds so issued, which levy shall be placed on the duplicate by the auditor of said county, collected as other taxes, and when collected paid over to the treasurer of said school district.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[House Bill No. 444.]

AN ACT

To authorize the commissioners of Sandusky county, Ohio, to levy an additional tax for the improvement of the fair grounds of said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Sandusky county, Ohio, be and they are hereby authorized and empowered to levy upon the taxable property of said Sandusky county, three-tenths of one mill on the dollar, in addition to all levies now authorized by law, to improve [the] fair grounds of said Sandusky county.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[House Bill No. 463.]

AN ACT

To authorize the board of education of Genoa special school district, of Ottawa county, Ohio, to levy additional tax for school purposes in the years 1884, 1885 and 1886.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of Genoa special school district, of Ottawa county, Ohio, be and they are hereby authorized and empowered in the years 1884, 1885 and 1886, to levy a tax not exceeding three mills on the dollar, each year, on all the taxable property of said special school district, in addition to all levies now authorized by law. Said tax to be used for general school purposes, and levied and collected in the same manner as taxes for the common school fund are levied and collected.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[House Bill No. 477.]

AN ACT

To amend sections one and two of an act entitled "an act authorizing and directing the levy and collection of a tax to refund certain money erroneously assessed and collected for the support of a joint sub-school district, composed partly of territory belonging to Vernon township, Clinton county, and partly of territory belonging to Washington township, Warren county," passed April 5, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That sections one (1) and two (2) of the above recited act be so amended as to read as follows:

Section 1. That it shall be and is hereby made the duty of the auditor of Clinton county, Ohio, to levy on all the property in Vernon township school district in said Clinton county, when the next levy is made for school purposes, an amount sufficient to refund and pay to Washington township, Warren county, Ohio, the sum of eight hundred and fifty-seven dollars and fifty-three cents, and interest thereon at the rate of six per centum per annum, from the eleventh day of November, 1882, in addition to the amount of five hundred and seventy-two dollars and seventy-three cents levied and collected by virtue of said original act.

Section 2. When the said amount of money in this amended act directed to be levied and collected, shall be paid into the treasury of Clinton county, it shall be the duty of the auditor of said Clinton county to draw his warrant or warrants for said amount of money upon the requisition of the clerk of the board of education of Washington township, Warren county, in favor of the treasurer of said Washington township, who shall charge himself as treasurer of the school fund with the said amount.

SEC. 2. This act shall take effect and be in force from and after its passage; and sections one (1) and two (2) of said original act are hereby repealed.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[Senate Bill No. 164.]

AN ACT

To create additional election precincts in Butler county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the townships of Oxford, Milford, Wayne and St. Clair, all in the county of Butler, and state of Ohio, be and the same are hereby divided into election precincts, as hereinafter described, for presidential, state, county and township elections.

SEC. 2. The sections of Oxford township numbered four, five, six, seven, eight and eighteen, shall constitute an election precinct, to be known and designated as the northern precinct of Oxford township, and all the residue of said township shall constitute an election precinct, to be known and designated as the southern precinct of Oxford township.

SEC. 3. The sections of Milford township, numbered one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, twenty-four, the north half of section numbered sixteen, the north-east quarter of section numbered twenty-two, the north half and the south-east half of section numbered twenty-three, and the north half of section numbered twenty-five, shall constitute an election precinct, to be known and designated as the northern precinct of Milford township, and all the residue of said township shall constitute an election precinct, to be known and designated as the southern precinct of Milford township.

SEC. 4. The sections of Wayne township numbered one, two, three, four, five, six, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, twenty-two, twenty-three, and twenty-four, and so much of sections twenty-five and twenty-six as lies east of the Jacksonburg free pike, and north of the road leading from said pike to Miltonville, shall constitute an election precinct to be known and designated as the northern precinct of Wayne township; and all the residue of said township shall constitute an election precinct, to be known and designated as the southern precinct of Wayne township.

SEC. 5. The township of St. Clair shall be divided into two precincts by a line beginning on the north boundary of said township in the center of Seven Mile creek; thence along said Seven Mile creek to its point of confluence with Four Mile creek; thence along said Four Mile creek to its mouth; thence along the Great Miami river to the south boundary line of said township. The portion of said township lying east of said line shall constitute an election precinct, to be known and designated as the eastern precinct of St. Clair township, and the residue of said town-

ship shall constitute an election precinct to be known and designated as the western precinct of St. Clair township.

SEC. 6. This act shall take effect May 1, 1884.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[Senate Bill No. 252.]

AN ACT

To remedy some of the injuries caused by the burning of the offices of the auditor, treasurer and commissioners of Hamilton county.

WHEREAS, The court house of Hamilton county was burned on March 29, 1884, and the tax lists, duplicates, books and papers, in the offices of the auditor, treasurer and commissioners of said county, were lost or destroyed before the semi-annual settlement was completed; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the auditor of said county shall have power, and he is hereby directed as rapidly as possible to make up a tax list and duplicate, both of real and personal property from all the information he can gather, to replace, as nearly as practicable, the list and duplicate for the year 1883, lost through said fire, which list and duplicate, when thus made up by him, shall be the legal tax list and duplicate of said county for the year 1883, and in all matters shall be considered and treated as the original list and duplicate for said year.

SEC. 2. To aid said auditor in making such list and duplicate, each person liable for the payment of taxes on real estate, and each person listed in the year 1883 for taxation on personal property, upon said lost list, shall at once produce and deliver to said auditor, or as by him directed, the receipted tax bill latest in date for the years 1881, 1882 and 1883, that such person may have in his possession or under his control; and said auditor shall give such notice by publication and make such demand for such receipts as he may deem best. For each receipt thus delivered, a voucher shall be given in such form as the auditor may prescribe.

SEC. 3. In each case where such receipt thus delivered to the auditor is for the whole or part of the taxes for 1883, he shall enter upon the real or personal list and duplicate, as the case may be, so far as shown by said receipt, the name of the person, the description and value of the property, the amount of taxes assessed, the amount paid, and the date of such payment. And in all cases where the receipts produced are for taxes on real estate for the year 1881 or 1882, said auditor shall enter the same facts upon a separate list, and upon the list and duplicate shall enter the name of the person, the description and value of the property, and taxes at the rate levied thereon for all purposes for the year 1883.

SEC. 4. In case any person liable for taxes on real estate fails, within twenty days after the first publication of notice, to produce and deliver such receipt, then, and in each such case, said auditor shall enter such person's name upon the list and duplicate, together with as accurate a description of the real estate as possible, and unless said auditor can accurately ascertain the assessed value of said property from papers issued from his office or the office of the treasurer of said county, or copies thereof, including official publications of delinquent, forfeited, and other lists, he shall forthwith assess the value of such real estate, and enter such assessed value on said list and duplicate, and thereupon shall levy and assess against the same taxes at the rate levied for all purposes for the year 1883. If any person liable for taxes on personal property fail within said twenty days to produce the receipt for taxes due in December, 1883, said auditor shall enter the name of such person on the personal list and duplicate, and place against the same such sum as was returned for taxation in the year 1883, as shown by the original blotter of the proper assessor, if in existence, if not, to be fixed by the oath of the person thus liable, and then failing, that by such mode as said auditor may decide upon, and thereupon said auditor shall levy and assess against said person taxes at the rate levied against him for all purposes for the year 1883. And unless the person thus failing to produce and deliver such receipt shall satisfy the auditor that the non-production thereof is owing to circumstances beyond his control, said auditor shall note against said lot or land upon the tax list and duplicate of real property, or against the name of such person on the personal list and duplicate, as the case may be, the words, "Receipt not produced," and shall thereupon levy and assess against said land or lot, or against said person, or both, as the case may be, a penalty of twenty per centum on the taxes levied and assessed upon or against the same as shown by said list, which penalty shall be collected with the other taxes.

SEC. 5. To enable said auditor to make a correct list of taxable real estate and of the persons liable for taxes on personal property for the year 1883, and to enable him to learn any facts to aid in making said list and duplicate, said auditor is authorized to examine any books and plats which he is satisfied have been copied from the books and plats kept by said auditor, and should any person whom said auditor has reason to believe has possession or control of any such books or plats refuse to submit the same for his inspection and use, said auditor may apply to the probate judge of said county for an order for the production thereof, whereupon the said judge shall issue a citation to the person named by said auditor requiring him to show cause on some day to be fixed by said judge why said books and plats are not produced. And upon the hearing, if said judge be satisfied that it is within the power of such person to produce the books or plats desired by the auditor, he shall compel their production under such reasonable regulations as he may direct, and shall enforce his order by fine or imprisonment, or both, as for contempt of court. In all cases where the production of any book or plat is ordered, the costs of said application shall be paid by the person summoned; otherwise by the county.

SEC. 6. Said auditor shall have power and is hereby directed to reproduce the delinquent and forfeited tax lists and duplicates destroyed by said fire, and for that purpose may use the printed lists as advertised in 1883 and 1884 of forfeited and delinquent tax sales. Such lists when

made up shall be *prima facie* evidence that the lands and lots therein described were still delinquent or forfeited, as the case may be, on the thirtieth day of March, A. D. 1884, for the taxes charged against them on said lists.

SEC. 7. Said auditor and the treasurer of said county shall at once, from such sources of information as are within their reach, make a settlement of the amount of money properly chargeable against said treasurer, the amount of this collected by him, and the sum of money now in his hands; and said officers and the auditor of state, and a majority of them, shall apportion the amount of money said treasurer has collected among the several funds to which the same belongs, and assign to each fund from the money now on hand its true proportion thereof after deducting all advancements, according to the best of their information and belief. The settlement, apportionment and assignment so made shall be conclusive and final, and shall be so accepted in all future settlements of said treasurer. Certificates of said settlement, apportionment and assignment, signed by each of said officers making the same, shall be delivered to the commissioners of said county and spread upon their journal; and certified copies thereof shall be by them given to said treasurer, auditor, and the auditor of state.

SEC. 8. Inasmuch as all evidences of the temporary transfers from one to another of the funds under the control of said commissioners of said county, made prior to the thirtieth day of March, 1884, have been lost, and there is no way of restoring the same, said transfers shall be considered as fully repaid and satisfied, and the sum shown in each of said funds by the apportionment made under section seven of this act shall be taken to be the full sum due such fund from all taxes and receipts collected by said treasurer prior to said thirtieth day of March, subject to any provision for readjustment which may hereafter be made by law.

SEC. 9. The word "person" wherever used in this act shall have the meaning given it in section two thousand seven hundred and thirty of the revised statutes.

SEC. 10. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[Senate Bill No. 253.]

AN ACT

To authorize the commissioners of Ross county to levy an additional tax for the support of the poor.

WHEREAS, The fund for the support of the poor in said county has been overdrawn to the amount of five thousand dollars; and

WHEREAS, The separation of the children from the adults in the county infirmary, as required by act of April 9th, 1883, has increased

the expenses of that institution to an extent almost equal to an amount sufficient for maintaining a separate children's home; and

WHEREAS, There will be required to meet such deficiency and increased expense a levy of taxes in addition to the levies now authorized by law; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Ross county, Ohio, be and are hereby authorized and empowered, at their June session in the year 1884, to levy a tax not to exceed three-fourths of one mill, and, annually thereafter, one-fourth of one mill on the dollar in addition to the levies now authorized by law to be levied on all the taxable property of said county, and to be expended for the support of the poor.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[Senate Bill No. 207.

AN ACT

To authorize the commissioners of Clermont county, Ohio, to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Clermont county, Ohio, are hereby authorized to construct the following free turnpike road: commencing at or near the residence of Edward C. Patchel, in Stonelick township, in said county of Clermont, and thence a westerly course and on the south side of Stonelick creek and the east fork of the little Miami river, passing through or near East Liberty, Cahoon Station, and South Milford, to the county line between Clermont and Hamilton counties, about one mile west of South Milford; and in locating such road said commissioners may locate the same upon the road or any part of any county or township road heretofore laid out and established, and to widen, alter, change or vacate the same, or any part thereof, and shall have power to lay out, locate, and survey such turnpike through any improved or unimproved lands, and are hereby authorized, for that purpose, to condemn and appropriate the necessary lands therefor, in pursuance of the laws of Ohio for the appropriation of private property for public purposes, and the payment of compensation therefor; said road shall be opened not more than sixty nor less than thirty feet wide.

SEC. 2. That said commissioners may, if they deem best, issue bonds for the construction of said road; provided, that said bonds shall not bear interest at a higher rate than six per centum per annum, payable annually, and shall not be sold for less than their par value; provided, further, that said bonds may extend to such time as they can be met at a levy of one-half of one mill on the dollar on the tax duplicate of said county.

SEC. 3. That said commissioners shall, before proceeding to construct said road, or any part thereof, require and secure from those interested in said improvement, a subscription or donation, equal in amount to twenty per centum of the cost of said improvement, to aid in the construction of the same.

SEC. 4. For the purpose of paying said bonds, the county commissioners are hereby authorized to levy and assess a tax not exceeding one-half of one mill on the dollar, annually, on all property in said county, in addition to taxes now authorized by law.

SEC. 5. That a majority of said board of commissioners shall be necessary at any regular session, to agree upon specifications and order said improvement, or any part thereof.

SEC. 6. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[Senate Bill No. 194.]

AN ACT

To authorize the commissioners of Clermont county to purchase a turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Clermont county, Ohio, are hereby authorized and empowered to purchase from the owners of the same, the turnpike road running from the village of Batavia to the village of Williamsburg, in said county, at such price and upon such terms as may be agreed upon by and between the commissioners and the owners of said road; and said road, when so purchased, shall be thenceforth a free turnpike road, and shall be improved and kept in repair in the same manner as is provided by law as to other free turnpike roads in said county.

SEC. 2. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 11, 1884.

[Senate Bill No. 205.]

AN ACT

To authorize the commissioners of Paulding county to issue bonds and to levy additional taxes to pay the same, and for current expenses.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Paulding county be and they are hereby authorized

to issue the bonds of said county, to the amount of twenty thousand dollars, to pay existing indebtedness of said county for bridge, and general county purposes; said bonds shall be issued at such time and in such sums as said commissioners may think proper, and shall be made payable at any time within six years; said bonds shall bear interest at a rate not exceeding six per cent. per annum, which interest shall be payable semi-annually, and when so issued shall not be sold for less than par value.

SEC. 2. The commissioners of said county are hereby authorized, in the years 1884, 1885, 1886, 1887 and 1888, to levy a tax in addition to that authorized by law, not exceeding two mills on the dollar on all the taxable property of said county, to pay said bonds and interest as they mature.

SEC. 3. The commissioners of said county are hereby authorized, in the years 1884, 1885 and 1886, to levy a tax on all the taxable property of said county for general county purposes, an amount not exceeding one mill on the dollar valuation each year, in addition to the amount now authorized to be levied for said purpose, to meet the current expenses; the same to be entered upon the general duplicate of said county, and collected in the same manner as other taxes are collected.

SEC. 4. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[Senate Bill No. 202.]

AN ACT

To amend an act entitled "an act to authorize the agricultural society of Butler county, Ohio, to erect permanent buildings on the fair grounds in said county, and to provide for the payment of the indebtedness thereby incurred."

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the agricultural society of Butler county, Ohio, be and the same is hereby authorized and empowered to erect permanent buildings on the fair grounds in said county, at a cost not to exceed five thousand dollars.

SEC. 2. That for the purpose of paying the indebtedness thereby incurred, the county commissioners of Butler county, Ohio, be and they are hereby authorized and empowered to issue bonds of said county, in such denominations as to them may seem proper, to the amount of five thousand dollars, bearing interest at a rate not greater than six per cent., and payable as follows: twenty-five hundred dollars on the first day of September, 1885, and twenty-five hundred dollars on the first day of September, 1886.

SEC. 3. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G WARWICK,
President of the Senate.

Passed April 12, 1884.

[Senate Bill No. 198.]

AN ACT

To authorize the village council of Alliance, Stark county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of Alliance, Stark county, Ohio, be and it is hereby authorized to transfer the sum of fifteen hundred dollars ($1,500) from the police fund of said village, and twenty dollars and two cents ($20.02) from the poor fund of said village to the general fund.

SEC. 2. This act shall take effect on and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 202.]

AN ACT

For the relief of T. K. Galloway, treasurer of Whiteoak special school district No. 5, Sycamore township, Hamilton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of said school district are hereby authorized and required to release said T. K. Galloway and his securities on his official bond, as treasurer of said special school district, from the payment of the sum of one hundred and ninety-eight dollars; provided, that the directors shall submit said proposition to release to the qualified electors of said district at the regular April election, and two-thirds of the electors at said election vote in favor of such release.

SEC. 2. It shall be the duty of said directors, before submitting said proposition, to give ten days' notice of such election by posting the same in at least five public places in said district. The form of the ballots at said election shall be as follows: "For release of T. K. Galloway—Yes;" and "For release of T. K. Galloway—No."

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 427.]

AN ACT

To create two election precincts in Union township, Clinton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Union, in the county of Clinton, and state of Ohio, be and the same is hereby divided into two election precincts, for presidential, state, county and township elections, by the Port William and Morrisville pike passing through Wilmington on South street.

SEC. 2. This act shall take effect on its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 445.]

AN ACT

To authorize the commissioners of Adams county to construct a certain free turnpike road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Adams county, Ohio, be and they are hereby authorized to construct the following free turnpike road, to wit:

Beginning at the town of Locust Grove, in Adams county, Ohio, and following on or as near the Portsmouth and Hillsboro road as a good road can be made, by way of London, to intersect the Belfast and Hillsboro turnpike at its termination in the county line.

SEC. 2. Said commissioners may, in their discretion, order at once the building of said road, but before ordering said road, shall require donations of not less than twenty per centum of the estimated cost thereof, and may issue bonds for the construction of the same, bearing six per cent. interest, which shall not be sold for less than their par value, and may levy a tax not exceeding two mills on the dollar annually, on all the taxable property of said county, for the purpose of paying the said bonds and interest thereon.

SEC. 3. A majority of said commissioners may, at any regular or special session, agree upon plans and specifications and order said improvement or any part thereof.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 538.]

AN ACT

To authorize the board of education of the special school district of Kalida, Putnam county, Ohio, to levy a tax.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the special school district of Kalida, in Putnam county, Ohio, are hereby authorized and empowered to levy a tax upon the taxable property of said special school district for the period of one year, not exceeding three mills, in addition to the amount now authorized by law, on the dollar of the valuation of the taxable property of said special school district.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[Senate Bill No. 250.]

AN ACT

To authorize the commissioners of Hamilton county to issue bonds to meet expenditures rendered necessary by the burning of the court house.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county, with the concurrence of the board of control of said county, be and they are hereby authorized to issue the bonds of said Hamilton county in any sum not exceeding one hundred and fifty thousand dollars, payable within thirty years from the date of such indebtedness, and at such times as said county commissioners may prescribe, which bonds shall bear interest at not to exceed the rate of five per cent. per annum, payable semi-annually, and be of such denominations as the commissioners of said county shall provide.

SEC. 2. Said bonds shall be signed by the commissioners of said county and attested by the auditor of said county, who shall keep a record of all bonds issued. Said bonds shall be with or without coupons attached, payable to bearer, at such place as the commissioners of said county shall determine, which place shall be specified in said bonds and also the purpose for which they were issued. Said bonds shall not be disposed of at less than their par value.

SEC. 3. The amount realized from the sale of said bonds shall be applied to meet expenses incurred or to be incurred to provide temporary places for holding courts and offices for county officers, and also for restoring lost or injured records, maps, plats and papers, and to meet such other expenses as are rendered necessary by the burning of the court house of said county on the 29th day of March, 1884; and the surplus, if any, from the sale of said bonds, shall be transferred and paid into the county fund of said county.

SEC. 4. The board of commissioners shall, annually, cause to be levied

on the tax duplicate of the county such amount of taxes as shall be necessary to pay the accruing interest upon said bonds and such part of the principal as falls due each year.

SEC. 5. This act shall take effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 471.]

AN ACT

To authorize the council of the incorporated village of Covington, in the county of Miami, to issue bonds for the purpose of improving the streets of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the incorporated village of Covington, Miami county, Ohio, be and the same is hereby authorized to issue the bonds of said village, in the sum not exceeding twenty thousand dollars, in denominations of not less than one hundred dollars each, bearing interest at a rate not exceeding six per cent. per annum, from the date of the issue, payable semi-annually; the proceeds of such bonds to be used for the purpose of macadamizing and improving the streets of said village; said bonds shall be issued in amounts not exceeding six thousand dollars in any one year.

SEC. 2. Said bonds shall be signed by the mayor of said village, and countersigned by the clerk of said village, and shall not be sold for less than their par value. The principal shall be payable after three, and within twenty years from the date of the issue, as may be determined by the council of said village, and the village council is hereby authorized to levy a tax upon all the taxable property of said village to pay said bonds and the interest thereon as they become due; the funds realized from the sale of said bonds shall be used by the council of said village for the purpose of improving the streets of said village, and for no other purpose.

SEC. 3. Said bonds shall not be issued nor said tax levied or assessed until the question shall have been first submitted to the voters of said village of Covington, at a general or special election, of which at least ten days' notice shall be given by publication in the corporation paper of said village; at said election all those desiring to vote in favor of issuing said bonds and levying said tax, shall have written or printed on their ballots the words, "Issue of bonds for street purposes—Yes;" and all voters desiring to vote against said issuing of bonds and levying said tax, shall have written of printed on their ballots the words, "Issue of bonds for street purposes—No." No bonds shall be issued and no tax levied under this act unless three-fifths of the votes cast in favor or against said issue and levy, shall be in favor of such issue and levy.

SEC. 4. This act shall ake effect and be in force from and after its passage.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[Senate Bill No. 188.]

AN ACT

To authorize the county commissioners of Mahoning county to increase the tax levy of the general fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the county commissioners of Mahoning county be and they are hereby authorized and empowered, at their regular June sessions, to levy a tax on the grand duplicate of said county, in addition to that now authorized by law, of one-half of one mill on the dollar, to pay the indebtedness of the general fund of said county, and to meet the increased necessary expenditures for general county purposes.

SEC. 2. Should there remain, at any time, any surplus moneys collected under the provisions of this act, in the treasury of said county, after said indebtedness is paid, and not necessary for the general expenses of the county, the commissioners of said county are hereby authorized to transfer the same to the bridge fund of said county.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[Senate Bill No. 248.]

AN ACT

To authorize the board of education of the village of West Cleveland, Cuyahoga county, Ohio, to issue bonds for school purposes, and to make an additional levy for the payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the board of education of the village of West Cleveland is hereby authorized to issue the bonds of said village, not exceeding in the aggregate the sum of twelve thousand dollars, payable in one, two, three, four, five, six, seven, eight, nine and ten years, with interest not exceeding six per cent. per annum, the proceeds arising from the sale of said bonds to be used exclusively for procuring a site for, and erecting thereon a schoolhouse and for furnishing the same; and for the purpose of paying the principal on said bonds as they mature, and the interest thereon, said board is further hereby authorized to levy for the next ten years, from

and including the year 1884, on each dollar of valuation of taxable property within said village, not exceeding three mills per year additional to that now allowed by law.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[Senate Bill No. 231.]

AN ACT

To amend section one of an act entitled "an act to create a special sub-joint school district in the counties of Muskingum and Perry," passed March 21, 1883. (O. L., v. 80, p. 281.)

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That section one of an act entitled "an act to create a special sub-joint school district in the counties of Muskingum and Perry," passed March 21, 1883, be so amended as to read as follows:

Section 1. That all of the territory now comprised in and constituting the Roseville school district, in Muskingum county, and so much of school district number four in Harrison township, Perry county, as is comprised within the following boundaries, that is to say: "Beginning at the south-west cornor of the incorporated village of Roseville aforesaid, as the same is designated on the plat of said village; thence west along the south line of section four, in township fourteen, range fourteen, in Perry county aforesaid, eighty rods; thence north and parallel with the east line of Perry county to the north line of Perry county; thence east along said north line of Perry county eighty rods to the north-east corner of Perry county; thence south along the east line of Perry county to the place of beginning," be and the same is hereby created and declared to be and to constitute the Roseville village school district.

SEC. 2. Said village school district, as above created, shall have control of all school property within said territory, and shall be entitled to receive its proportionate share of all school funds, including the funds levied for school-house and contingent expenses, in accordance with the last enumeration of children between six and twenty-one years of age: said funds being those unexpended in the treasuries of the said counties of Muskingum and Perry, respectively, or the township treasuries of Harrison township, Perry county, or Clay township, Muskingum county, respectively; and said village school district shall be governed by such laws as now are or may hereafter be in force relative to village school districts.

SEC. 3. Sections 1 and 2 of the said original act are hereby repealed.

SEC. 4. This act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 12, 1884.

[House Bill No. 567.]

AN ACT

To authorize the council of Mineral Ridge, in Trumbull county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Mineral Ridge, Trumbull county, Ohio, be and they are hereby authorized to transfer the sum of one hundred and fifty dollars ($150) from the police fund to the street fund of said village.

SEC. 2. This act shall take effect and be in full force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 247.]

AN ACT

To authorize the council of the village of Bucyrus, Ohio, to transfer certain moneys from the corporation and police fund to the interest and bond fund of said village.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the council of the village of Bucyrus, Ohio, be and the same is hereby authorized to transfer to the interest and bond fund of said village, the sum of one thousand eight hundred dollars from the corporation fund, and from the police fund the sum of one thousand five hundred dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 489.]

AN ACT

To authorize the commissioners of Pike county, Ohio, to buy certain toll-roads in said county, lying and being, and to make the same free roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Pike county, Ohio, be and are hereby authorized to purchase all or any of the toll roads in said county, lying and being in any part or parts thereof, and to make and declare the same free roads, when one hundred resident tax-payers and freeholders of said county shall petition said commissioners therefor.

SEC. 2. That upon the filing of said petition, said commissioners

may appoint three appraisers to value and appraise said road or roads, or said part or parts thereof, all of whom shall be freeholders and taxpayers resident of said county, not under the employ of any owner or owners of said road or roads, nor under the employ of said county, and all to be disinterested parties in everywise.

SEC. 3. That said appraisers, after taking necessary oath for the faithful discharge of their duties, shall proceed to inspect or examine said road or roads, or part or parts thereof; but in appraising and fixing the value of said road or roads, or part or parts thereof, said appraisers shall take into consideration and deduct from said appraisment and valuation the value of any bridges, culverts or structures belonging to said county, or any municipal corporation or township in said county, entering into and forming a part of said road or roads, or part or parts thereof; and also said appraisers are to take into consideration any sum or sums of money appropriated by said county, or any township or municipal corporation in said county, for and used in the construction of said road or roads, or part or parts thereof.

SEC. 4. That upon the report of said appraisers said commissioners may proceed to negotiate with and purchase said road or roads, or part or parts thereof, of said owner or owners, but in no case shall they pay a greater sum therefor than the amount ascertained and fixed by said appraisers; provided, however, they shall not purchase, issue bonds nor contract for any road or parts of roads to exceed in amount six thousand dollars in any one year.

SEC. 5. That for the purpose of paying for said road or roads, or said part or parts thereof, said commissioners are authorized to issue bonds of said county, and to levy a tax upon all the taxable property of said county at each June session of their board to pay said bonds and the interest accruing thereon. Said bonds to be issued in denominations of two hundred dollars ($200) each, payable not to exceed eight years from date, and to bear interest at the rate of six (6) per cent. per annum, payable semi-annually, and not to be disposed of at less than par.

SEC. 6. That said appraisers shall receive two dollars ($2) per day for their services, to be paid out of the "county fund" of said county.

SEC. 7. That sections 8058, 8059, 8060, 8061, 8062 and 8063, of the revised statutes of the state of Ohio, be and the same are hereby declared inoperative so far as they relate to Pike county.

SEC. 8. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 566.]

AN ACT

To authorize the village council of the incorporated village of Adelphi, Ross county, Ohio, to transfer certain funds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village council of the incorporated village of Adelphi, Ross county

Ohio, be and are hereby authorized to transfer three hundred ($300) dollars from the police fund to the general fund of said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 506.]

AN ACT

To divide Montgomery township, Ashland county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Montgomery, in the county of Ashland and state of Ohio, be and the same is hereby divided into two election precincts, as follows: the first shall be known as the "northern" voting precinct, and shall be composed of the territory in said township lying north of the line hereinafter described, viz.: said south boundary line to commence at the west line of said township, at a point in the center of the road, called and known as the "Cemetery" road; thence in an easterly direction along and in the center of said road to the west boundary line of the incorporated village of Ashland; thence in an easterly direction from said point, lastly named, in the center of said road to Main street, in said village; thence along the center of said Main street, in an easterly direction to the "Ashland and Wooster" road; thence in an easterly direction along and in the center of said Ashland and Wooster road, to the east line of said township, at a point in said road on the said township line; and the second shall be known as the "second" voting precinct, and shall be composed of all the balance of the territory in said township, south of the boundary line above described.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 533.]

AN ACT

To establish a high school district in Sycamore township, Hamilton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the territory comprised in the special school districts of Sharon, Runyan, and Evandale, in Sycamore township, Hamilton county, Ohio, be and

is hereby declared to be a special high school district, to be known as the "Sharon high school district;" provided, however, that before this act can be put in force, a majority of the electors residing within said territory, shall vote in favor of said special school district, at an election to be held in the manner following:

SEC. 2. That written notice shall be posted in three of the most public places in each school district in said territory, at least ten (10) days before said election, signed by at least five (5) resident electors of said district, requesting the qualified electors thereof to assemble in the school-house, in the Sharon school district No. 2, Sycamore township, on a day and at an hour and place designated in said notice, then and there to vote for or against the creation of said high school district. The electors assembled at the time and place designated in said notices, shall appoint from their number three (3) electors to act as judges, and two (2) as clerks, who shall conduct said election, which shall continue for at least five (5) hours, and shall not close before six (6) o'clock P. M. That the clerks of said election to be held under the provisions of this act, shall within five (5) days from the date of holding said election, deliver to the township clerk of Sycamore township, in said county, a certified copy of the poll-books and tally-sheets of said election, who is hereby authorized and directed to canvass the same within ten (10) days from the date said poll-books and tally-sheets of said election are delivered to him, and notify the chairman of each of the boards of the districts named in this act of the result of said election. The electors in favor of said high school district, shall have written or printed on their ballots the words, "High school district—Yes;" and those opposed thereto the words, "High school district—No;" and if a majority of the ballots so cast are in favor of said high school district, it shall be created, otherwise not, until another election is called, which cannot be called until after the expiration of six months, as provided for in this section, and the vote cast as indicated and in favor of said high school district.

SEC. 3. That should a majority of the ballots so cast at any election, as provided for in section 2 of this act, be in favor of said high school district, the members of the board of directors, and of education of the several school districts composing said high school district, shall constitute the board of education of said school district, and said board last named shall be governed by, and the school under its control shall be conducted in accordance with, the provisions of this act and the general laws of this state relating to public schools, as far as said laws are applicable.

SEC. 4. That said board last mentioned, shall establish and maintain a high school, which shall be located in the village of Sharon, in said territory, to which school the youth of school age of said high school district shall be admitted free of charge, and to which pupils non-resident of said district may be admitted upon such terms as the board thereof may prescribe by the laws aforesaid.

SEC. 5. That said board shall, as soon as practicable, procure by lease or purchase, as may seem most expedient to said board, a site in said village for said school, and to erect thereon, if necessary, and to furnish a school-house in which to conduct said school, at a total cost for site and furnished house complete, of not more than twenty thousand dollars ($20,000), for which purpose said board are hereby authorized and directed to borrow in amount not to exceed said sum, and to issue bonds therefor. Said bonds shall be in such sums not less than five hundred dollars ($500) each, as such board may determine, and be numbered

consecutively, and payable within twenty (20) years from date of issue, and bear interest at a rate not to exceed five (5) per cent. per annum, payable semi-annually, and interest and principal shall be payable at the Queen City National Bank, of Cincinnati, Ohio, and dated the day the purchase money thereof shall be received, and payable to bearer, signed by the president of said high school board of education or director, and clerk of said board officially, and shall not be sold for less than their par value. The clerk of said board must keep a record of the number, date, amount, rate of interest, the price for which sold, the name of the purchaser, and the time for payment of each bond sold, which record shall be open for inspection at all reasonable times.

SEC. 6. That not more than one thousand ($1,000) dollars of the principal, in addition to all the interest due on the entire principal of bonds issued and sold, shall be paid each year, and in order to secure the money for the payment of said indebtedness, said board shall levy a tax upon the property subject to taxation, within said high school district each year, to create an interest and sinking fund, until said indebtedness shall be entirely paid, and shall certify said levy annually to the county auditor, who shall place the same upon the tax duplicate in the same manner as other taxes certified by boards of education are required to be placed thereon.

SEC. 7. That for the purpose of conducting and maintaining said high school, said board are authorized to annually levy a tax not to exceed the amount allowed to be levied by special or independent school districts, or board of education under existing laws in force, upon the property subject to taxation within said district named, which tax shall be certified and placed upon the tax duplicate in the same manner as the tax specified in the preceding section of this act, shall be collected and paid over to the officers and persons entitled thereto, in the same manner as all other taxes levied and certified by boards of education.

SEC. 8. That any school district adjacent to said territory may become a part of said high school district upon such terms and conditions as the board of education of said high school district, and the board of directors or of education, as may be, of said adjacent district, may agree to, if said terms and conditions shall be ratified by a majority of the electors of said high school district, and by a majority of the electors of such adjacent district, at an election to be held between the hours of two and six o'clock, P. M., of a day agreed upon by said boards, at a polling place within said high school district, to be designated by the boards thereof, as follows:

SEC. 9. That written or printed notices, containing the terms and conditions aforesaid, and specifying the time and respective places of holding said election, and signed officially by the clerk of the high school or adjacent district, as may be, in which said notices are to be used, shall be posted at least ten days before said election in at least three of the most public places in each special or sub-district interested, requesting the electors of said districts to meet at the time and respective places mentioned, then and there to vote for or against the ratification of said union of districts upon the designated terms and conditions. The electors in favor of said union shall have written or printed on their ballots the words, "Ratify—Yes;" and those opposed, the words, "Ratify —No." Immediately after the close of said election, the judges thereof

shall count the ballots cast, and make returns of the result in writing in form as near as may be the same as in other school elections, to the clerk of each board mentioned in section eight (8) hereof; and one of the judges shall deliver said returns in person on or before the day of the meeting mentioned in the next section of this act.

SEC. 10. That on the Monday next following said election, the two boards mentioned in section eight (8), shall each hold a meeting, at which said returns shall be read, and the result of said election, as shown by said returns, shall be entered in the minutes of said meeting. If a majority of the votes cast in each of said districts mentioned in section eight (8), shall have been in favor of said union, the said adjacent district shall be a part of said high school district, subject to the terms and conditions aforesaid. The clerk of said high school district shall officially notify the county auditor of this fact, and the auditor shall act accordingly in all his duties relating to said districts.

SEC. 11. That it is the intent and meaning of this act to confer upon the districts herein mentioned, the benefits of a high school in addition to the schools already existing therein; but in no other way to effect the existence, rights, liabilities, or condition of said districts and of the schools therein.

SEC. 12. That this act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 201.]

AN ACT

To divide Athens township, in Athens county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Athens, in the county of Athens, be and the same is hereby divided into two election precincts for all state, county, township and other election purposes, excepting municipal elections in the village of Athens, as follows: Beginning on the west line of said township between said township and Waterloo township, in said county, at a point in the middle of the Cincinnati, Washington and Baltimore railroad; thence following the center of said railroad line eastwardly, to a point near the depot of the Columbus, Hocking Valley and Toledo railway, within the corporate limits of the village of Athens, at the foot of Dean avenue, in said village; thence eastwardly along the middle of said Dean avenue to Washington street; thence east along the middle of Washington street to its intersection with College street, in said village; thence north along the middle of said College street to Mill street; thence east in the center of said Mill street to a point in the center of said Cincinnati, Washington and Baltimore railroad, where said railroad crosses said Mill street; thence following the middle of said railroad eastwardly to the township line, on the east side of said township, adjoining the township of Canaan.

All that part of Athens township that lies north of the line aforesaid, shall be one precinct, to be known as Athens North Precinct; and so much of said township as lies south of the line aforesaid, shall be one precinct, and be known as Athens South Precinct.

SEC. 2. That the election in said two precincts shall be held at such places in the village of Athens as the trustees of said township may prescribe.

SEC. 3. This act shall take effect and be in force from and after the fifteenth day of April, A. D. 1884.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 185.]

AN ACT

To transfer certain funds of the village of Clyde, Sandusky county, Ohio.

WHEREAS, On the twentieth day of November, 1883, the incorporated village of Clyde, Sandusky county, Ohio, had to the credit of its different funds the following sums of money, respectively, to wit: Fire fund, $281.43; interest fund, $261.92; lamp fund, $371.56; police fund, $771.44; real estate fund, $18.37; building fund, $881.68; water fund, $5138.14;

AND WHEREAS, All said funds were then rendered unavailable and are now temporarily unavailable to said village by reason of a defalcation by the treasurer of said village;

AND WHEREAS, On account of financial embarrassments caused thereby said village has, pursuant to an act of the general assembly of the state of Ohio, passed February 7, 1884, issued and sold its bonds to the amount of $8,500, and distributed the avails thereof between the different funds of said village according to their respective needs;

AND WHEREAS, A sinking fund has been created by the council of said village to provide for the payment of the bonded debt of said village; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Clyde, Ohio, are hereby authorized to transfer from all said funds, viz.: said fire fund, interest fund, lamp fund, police fund, real estate fund, building fund, and water fund, to said sinking fund, said sums above named as temporarily unavailable, as fast as the same shall be recovered by said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 395.]

AN ACT

To authorize the creation of a special school district, composed of parts of Union, Butler, Harrison, and Howard townships, Knox county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the territory comprised in sub-district No. 3, Union township, Knox county, Ohio, and also the west half of the south-west quarter of section seventeen, and the north-west quarter of section twenty-four, and the south half of section twenty-four, in said Union township; also the following described territory in Butler township, Knox county, Ohio, to wit: beginning at the north-west corner of said Butler township, thence east with the line between Butler and Union townships, to the north-east corner of section four in Butler township, Knox county, Ohio; thence south to the Koskosing river; thence west with the south line of the lands of T. J. Cochran and E. and A. Rightmire, to the east line of James M. Smith's lands in said section four; thence south with said Smith's east line to the east line of section five; thence south with said section to the south-east corner of section five; thence west with the south line of said section to the line between Butler and Harrison townships; thence north with said line to the place of beginning. Also to include the lands of W. O. C. Mitchell, situated in the north-west quarter of section four, in Butler township, Knox county, Ohio. Also the following described territory in Harrison township, Knox county, Ohio, to wit: beginning at the north-east corner of said Harrison township; thence south with said township line to the south-east corner of Jacob Eley's lands; thence west to the south-west corner of said Eley's lands; thence north to the line between Harrison and Howard townships. And also the following described territory in Howard township, Knox county, Ohio, to wit: beginning at the south-east corner of said Howard township, thence west with said township line to the south-west corner of the lands of John Wilkinson; thence north with said Wilkinson's west line to the north-west corner of the lands of Martin Engle; thence east to the north-west corner of the lands of William Hawn; thence north to the north-west corner of Amos Humbert's lands; thence east to the west line of Basil Critchfield's lands; thence north to said Critchfields's north-west corner; thence east to the line between Howard and Union townships; said territory in Howard township to include the lands of G. B. Hawn, William A. White, John Wilkinson, James Laughry, Roseann Cullison, Aaron Lybarger, William Hawn, Martin Engle, Amos Humbert, Basil Critchfield and D. S. Anderson, be and the same are hereby created and declared to constitute a special school district.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 515.]

AN ACT

To authorize the auditor of Warren county, Ohio, to issue refunding orders on the treasurer of said county in favor of certain persons.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the auditor of the county of Warren, Ohio, shall, on demand of the parties in interest, issue refunding orders amounting in the aggregate to two hundred and sixty-five dollars and eleven cents, to the treasurer of said county, in favor of such person or persons as shall have paid all or any of the first levy or installment of extra tax levied by order of the commissioners of said county, made by them on the 31st day of July, 1880, for the use of the Pekin free turnpike in said county, the collection of tax for, and the construction of said turnpike having been enjoined after the persons herein referred to had paid a part of their said assessments into the treasury of said county.

SEC. 2. That said orders shall be issued for the exact pro rata proportion of said fund and amount now unexpended and remaining in the treasury of Warren county, according to the amounts paid in by such persons respectively.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK.
President of the Senate.

Passed April 14, 1884.

[House Bill No. 518.]

AN ACT

To authorize the board of education of Somerset school district, in Somerset, Perry county, to issue bonds for repairing school building.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Somerset school district, in Somerset, Perry county, Ohio, are hereby authorized to issue the bonds of said district, for repairing school buildings, not exceeding one thousand dollars.

SEC. 2. Said bonds shall be issued by said board and signed by the president and countersigned by the secretary thereof, who shall keep a record of the same, and shall be for five hundred dollars each, and payable, one, September 1st, 1885, and one September 1st, 1886, and shall bear interest not exceeding 6 per cent. per annum, interest payable semi-annually, and shall not be sold for less than their par value, and the proceeds to be used for no other purpose than herein named. And the said board shall provide by tax, in addition to the tax now authorized by law, for the payment of said bonds and the interest thereon as the same shall become due.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 516.]

AN ACT

To authorize the board of education of sub-school district number one, Millcreek township, Hamilton county, to issue bonds to pay existing debts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Mill Creek township, in Hamilton county, Ohio, be and they are hereby authorized and empowered to issue bonds for an amount not exceeding fifteen hundred dollars ($1,500), payable at such time and place as the board may determine; provided, that said bonds shall be made payable within five years after the date of the issue thereof.

SEC. 2. Said bonds shall be issued by said board and signed by the president and secretary thereof, who shall keep a record of the same, and shall bear interest at a rate not exceeding six per cent. per annum, payable semi-annually, and shall be in amount not less than fifty nor more than one hundred dollars each, as said board may determine. Said bonds shall not be sold for less than their par value, and the funds arising from the sale thereof, shall be used only in payment of the present indebtedness of said district.

SEC. 3. The board of education of said district shall annually levy such amount of taxes, to be collected as other taxes are, as is necessary to pay said indebtedness and interest thereon as the same may become due and payable.

SEC. 4. Said board of education may, if in their opinion it becomes necessary, each year for the next five years after the passage of this act, levy annually on each dollar of valuation of all the taxable property in said school district, any sum not exceeding three (3) mills per annum, in addition to that now allowed by law, the proceeds of additional levy to be exclusively used for the payment of said bonds and the interest thereon, authorized to be issued by said board in section one (1) of this act.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 559.]

AN ACT

Authorizing the board of education of Shane's Crossing school district, Mercer county, to issue bonds for school building and purchase of grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of education of Shane's Crossing school district, in Mercer county, is hereby authorized to purchase grounds, erect a school building thereon, and furnish the same, at a cost not exceeding fifteen thousand dollars, and to issue the bonds of said school district for not more than fifteen thousand dollars, in such denominations as said board may by resolution determine, to run from one to not exceeding fifteen years, payable in such installments annually, as they may deem best, bearing interest not exceeding six per cent., payable semi-annually, which bonds shall not be sold at less than par; said bonds shall be signed by the president of said board of education and attested by the clerk thereof. Said board of education shall levy annually, upon all the property in said school district, a tax sufficient to pay the accruing interest, and provide a sinking fund for the redemption of said bonds as they become due. Said levy, if necessary, may be in addition to the limitation now imposed by law; and provided, that no bonds shall be issued by said board until after the question of building said school-house shall be submitted to the electors of said district, at a special or general election therein to be held for that purpose, of which not less than twenty days' notice shall be given by publication in a newspaper of general circulation in said district, and notices posted in not less than five public places therein for a like period of time; further provided, that a majority of said electors voting at said election, shall vote in favor of the building of said school-house. Said election shall be conducted in the manner and at the place of holding elections for members of said board of education.

SEC. 2. This act shall take effect from its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 248.]

AN ACT

To authorize the village of Clarksville, Clinton county, Ohio, to levy a tax for the relief of George W. Garrison and Ezekiel Cast.

WHEREAS, The court of common pleas of Clinton county, Ohio, decided and held that certain proceedings of the said George W. Garrison, while mayor of the incorporated village of Clarksville, Clinton county, Ohio, were illegal and void, for the reason that certain writs issued by him while mayor were not under the corporate seal of said village; and whereas, as the said village had neglected to provide a proper seal; and

WHEREAS, By reason of said informality, certain fines assessed and certain sentences of imprisonment rendered by the said George W. Gar-

rison, while mayor of said village, have been held to be illegal, void, and of no effect; and

WHEREAS, Certain persons, by reason of said informality, have recovered judgments against the said George W. Garrison and the said Ezekiel Cast, the then marshal of said village, for damages, by reason of said illegal writs having been issued and served, or attempted to be served; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the village of Clarksville, Clinton county, Ohio, is hereby authorized, in the years 1884 and 1885, to levy a tax of not exceeding three mills on the dollar of the valuation of the property subject to taxation in said incorporated village in the years 1884 and 1885, or so much thereof as may be necessary for the purpose of re-imbursing and paying to said George W. Garrison and the said Ezekiel Cast any money they may have paid on any judgments recovered against either or both of them, for damages on account of fines illegally assessed or sentence of imprisonment illegally rendered by the said George W. Garrison, while mayor of said incorporated village, and carried into execution or attempted to be carried into execution, by the said Ezekiel Cast, while marshal of said village, together with six per cent. interest on the amount so paid from the date of such payment.

SEC. 2. The council of said incorporated village shall hear the proof and examine the facts, as to the amount of money so paid to [by] the said George W. Garrison, and Ezekiel Cast, together with the date or dates of such payment, and make a record of the same.

SEC. 3. That before the levy of the tax aforesaid shall be made, the council shall submit to the electors of said incorporated village at a called election, the question of "tax" or "no tax," which shall be written or printed on the said ballots to be voted. And the council shall cause notice of such election to be posted in at least three public places in said incorporated village, for ten days before said election. And if a majority of said electors voting at said election on said proposition shall be in favor of said tax, then the council of said incorporated village shall levy the tax, and not otherwise.

SEC. 4. This act shall take effect from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 558.]

AN ACT

To authorize the transfer of certain funds therein named by the incorporated village of Orrville, O.

SECTION 1. *Be it enacted by the General Assembly of the State o Ohio* That the council of the incorporated village of Orrville, Wayne county Ohio, be and it is hereby authorized to transfer the following su ms o money: From the police fund to the building fund, the sum of five hun

dred and fifty dollars ($550), and from the general fund the sum of two hundred and fifty dollars ($250), to said building fund.

SEC. 2. This act to take effect and be in force on and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 558.]

AN ACT

To authorize the incorporated village of Martin's Ferry, Ohio, to issue bonds for the purpose of providing for supplying said village and the citizens thereof with water, and for erecting and purchasing water-works.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the incorporated village of Martin's Ferry, Ohio, is hereby authorized to issue bonds of said village in a sum not exceeding one hundred and fifty thousand dollars, in denominations not less than one hundred nor more than one thousand dollars, bearing interest at a rate not exceeding six per cent. per annum, payable semi-annually, and redeemable at such times as council may by ordinance prescribe, not more than forty years from date.

SEC. 2. Said bonds shall be signed by the mayor, and countersigned by the clerk of said village, and shall not be sold for less than their par value, and may be sold at such times and in such amounts, from time to time, as will best subserve to carry out the purpose for which they are issued.

SEC. 3. The proceeds of said bonds shall be used for the purpose of supplying said village and the citizens thereof with water, by contract, or providing said village with a system of water-works, either by purchasing or constructing the same, and for no other purpose.

SEC. 4. If any bonds of said village be issued as hereinbefore provided, it shall be the duty of the council of said village, and said council is hereby authorized annually thereafter, until the same and the interest thereon shall be paid, to levy a tax on all the taxable property of said village sufficient to provide for the payment of the interest accruing on the bonds so issued, and to create a sinking fund for the payment of the principal of the bonds as they fall due.

SEC. 5. The question of issuing such bonds shall first be submitted to a vote of the qualified electors of said village, at a general or special election held in said village, of which twenty days' notice shall be given by publication in a newspaper published in said village, and notices posted in fifteen of the most public places in said village. Those in favor of water-works and issuing said bonds, shall vote, "Water-works—Yes;" and those opposed to water-works and issuing said bonds, shall vote, "Water-works—No". If a majority of the votes cast at said election are

in favor of water-works and the issuing of said bonds, then the council shall proceed to issue said bonds, and not otherwise.

SEC. 6. This act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 260.]

AN ACT

To provide for rebuilding the court house in Hamilton county, Ohio, and to create a fund to pay for the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the governor shall appoint a board of trustees, composed of four citizens of Hamilton county, chosen equally from the two leading political parties, to rebuild, enlarge and improve the court house in said county. Said trustees shall receive no compensation, but shall be entitled to be repaid their necessary expenses in attending to their duties. All vacancies in the office of trustee shall be filled in the same manner and from the same political party as the original appointment.

SEC. 2. Said trustees shall select from their own number a chairman and have power to appoint a clerk, an architect, a superintendent, and other necessary employes, fix their compensation, and adopt a suitable plan for such court house, and make all contracts for rebuilding, enlarging and improving the same.

SEC. 3. Said trustees shall hold regular meetings at such time and place as may be agreed upon, and special meetings under such regulations as it may prescribe, and cause to be kept a full record of their proceedings; and no contract which they enter into, or alteration or modification thereof, shall be valid until assented to at a regular meeting, and concurred in by a majority of all the members, and such assent entered on the minutes of their proceedings.

SEC. 4. No money shall be expended on account of said court house unless first authorized by said trustees and upon warrant signed by their chairman and clerk, to be paid by the county treasurer out of the fund hereinafter provided for, and no trustee or person holding any appointment from said board, shall be interested, directly or indirectly, in any contract concerning said court house.

SEC. 5. Said trustees shall, before entering into any contract in respect to said court house, cause plans and specifications, detailed drawings, and forms of bids to be prepared; and when adopted by them they may, at their discretion cause the plans and drawings to be lithographed, and the specifications and forms of bids, contracts, and bonds, to be prepared, and have the same printed for distribution among the bidders.

SEC. 6. All contracts shall be made in writing in the name of said board for and on behalf of said county, and signed by the chairman and clerk of said board and by the contractor.

When it becomes necessary, in the opinion of said board, in the prosecution of the work, to make alterations or modifications in a contract, such alterations or modification shall only be made by order of the board, and such order shall be of no effect until the price to be paid for the work or materials under such altered or modified contract has been agreed upon in writing and signed by the contractor and the chairman and clerk of said board; and no contractor shall be allowed or recover anything for extra work or materials caused by any alteration or modification, unless an order is made or agreement signed as aforesaid, nor shall he in any case be allowed or recover more for such work or materials than said agreed price.

SEC. 7. If a contract, agreement or order made or authorized by said board be found to violate any of the provisions of this act, it shall at once become void, and of no effect, and no money shall be paid or recovered for services rendered or material furnished thereunder.

SEC. 8. Said board shall not enter into any contract for work or materials, except as relates to removing the ruins of the old court house so far as in their judgment may be necessary to prepare for rebuilding, or to procuring plans, drawings, specifications and forms of bids, contracts and bonds, without first causing fifteen days' notice to be given in one or more newspapers of general circulation in said county, that sealed proposals will be received for doing the work or furnishing the materials.

SEC. 9. Each bid shall be accompanied with a bond, signed by sufficient sureties for the acceptance of the contract, if awarded by the board, and in case of refusal by the bidder to enter into a contract according to his bid within such reasonable time as the board may determine, said bond shall be put in suit, and the amount collected paid into the fund hereinafter mentioned.

SEC. 10. All bids shall be enclosed in a sealed envelope and deposited with the clerk of said board, and such sealed envelope shall have endorsed thereon the nature of the same, and all bids shall be opened at a regular meeting of the board.

SEC. 11. Said board shall enter into contracts with the lowest and best bidder, upon his giving bond to the state of Ohio, for the use of Hamilton county, with such sureties as the board shall approve, that he will perform the work and furnish materials in accordance with his contract; and on failure of such bidder within a reasonable time to be fixed by the board to enter into bond with the sureties before provided, a contract may be made with the next lowest and best bidder, and so on until a contract is effected by a contractor giving bond as aforesaid; provided, that the board may let the work in whole or in parts, and may reject any and all bids.

SEC. 12. To create a fund to defray the expenses to be incurred under this act, and to be called "The court house construction fund," the commissioners of said county, without the concurrence of the board of control thereof, shall forthwith, upon the receipt of orders of said board of trustees certified by its chairman and clerk, from time to time and as often as said board of trustees think necessary, borrow and pay into the county treasury, money not exceeding in the aggregate the sum of three hundred thousand dollars ($300,000), in such sums as, and at no greater rate of interest than may be fixed by said board of trustees and named in said orders respectively. And to secure the payment of the principal and interest thereof, the commissioners of said county shall issue the

bonds of said county, in the mode and manner prescribed by sections eight hundred and seventy-one and eight hundred and seventy-two of the revised statutes, and the act passed March 22, 1883, entitled "an act providing for the sale of public bonds" (80, O. L., 68); provided, however, that said bonds shall be issued with coupons or registered, due in fifty years and redeemable thirty years from date.

SEC. 13. The commissioners of said county shall annually, at their June session, levy such amount of taxes as will pay the interest on such indebtedness and create a sinking fund sufficient to redeem the same at maturity, not exceeding for said sinking fund two per centum per annum on the total indebtedness. And if the commissioners refuse or neglect to levy such taxes regularly, as herein provided, the county auditor shall levy said taxes upon the taxable property of the county and place the same upon the tax list; and all the taxes levied and collected under the provisions of this act shall be applied to the specific object for which they are levied, and no other.

SEC. 14. Upon the completion of said work and payment of all liabilities, the term of office of said trustees shall cease, and any unexpended balance of said fund shall be placed and kept to the credit of the sinking fund provided for by this act; and no part of said sinking fund shall be transferred or applied to any other purposes, but the same shall be invested and preserved in bonds of said county, of the state of Ohio, or of the city of Cincinnati.

SEC. 15. Said trustees shall not be individually responsible to any contractor upon any contract made in pursuance of this act, nor to any person upon any claim occasioned by any act or default of any person contracted with, or employed by them, in pursuance of this act. But any of said trustees may be removed summarily by the governor, for misconduct in office or neglect of duty.

SEC. 16. During the term of office of said trustees, the commissioners of said county shall have no power to build or rebuild a court house, or acquire land therefor; and immediately upon the appointment and qualification of said trustees, the commissioners of said county shall deliver to said board of trustees the possession and control of the said court house and of the land adjoining thereto, owned by said county, up to the wall of the jail of said county, except such part thereof as may be needed and occupied for temporary court rooms, to be held by them until the completion of said court house, when they shall surrender the same to the said county commissioners.

SEC. 17. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 491.]

AN ACT

To divide Waterloo township, in Athens county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township of Waterloo, in the county of Athens, be and the

same is divided into two election precincts, as follows: The first shall be called Marshfield precinct, and shall include all the [that] part of said township that lies east of a line beginning at the south-west corner of section number thirteen on the township line, and running due north to the north-west corner of section number eighteen, on the township line; and the voting place shall be in the village of Marshfield. The second shall consist of all that part of said Waterloo township beginning west of the line aforesaid, and shall be known as Mineral precinct; and the voting place shall be in the village of Mineral.

SEC. 2. This act shall take effect and be in force from and after the 15th day of April, 1884.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 490.]

AN ACT

To divide Berkshire township, Delaware county, Ohio, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That Berkshire township, Delaware county, Ohio, be and the same is hereby divided into two election precincts, as follows: The first shall be called the Sunbury precinct, and shall comprise all of the north-east quarter of said township, also all that part of the south-east quarter of said township, which is included in the Sunbury special school district. The second shall consist of all the balance of said township, and shall be known as the Rome precinct.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 455.]

AN ACT

To authorize the city council of the city of Mansfield, Ohio, to issue bonds for the purpose of placing new engines and pumps in the water-works of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the city council of the city of Mansfield, Ohio, be and are hereby authorized and empowered to issue bonds of said city in the sum of seven thousand dollars, bearing interest at a rate not exceeding six per cent.

per annum, payable semi-annually, and of denominations not less than one hundred dollars nor more than one thousand dollars each, and shall be made payable at such times as said council shall by resolution prescribe, but not less than five years nor more than ten years from date; said bonds shall not be sold for less than par in cash, and the proceeds from the sale thereof shall be used for the purpose of placing new engines and pumps in said water-works, and for no other purpose.

SEC. 2. That for the purpose of paying said bonds and the interest thereon at maturity, the city council of said city is hereby authorized to levy a tax upon all the taxable property, both real and personal, of said city, in addition to the amount otherwise allowed by law, to be collected as other taxes, and the money so collected shall be used for the paying of said bonds and the interest thereon, and shall not be used for any other purpose.

SEC. 3. This act shall be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 366.]

AN ACT

For the relief of Otto Honeck.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the board of county commissioners of Henry county, Ohio, are hereby authorized to pay Otto Honeck, not exceeding the sum of three thousand dollars, from the general revenue fund of said county, to reimburse him for money expended and material furnished by him in the construction of the court house and jail for the said county, in excess of the amount called for in his sub-contract for said material.

SEC. 2. That before any money hereby authorized shall be paid, an itemized account of the claim for which payment is demanded, shall be submitted to the said commissioners, and the same shall be approved, and the payment ordered by the unanimous vote of all of said commissioners.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 565.]

AN ACT

To authorize the town council of Woodsfield, Monroe county, Ohio, to transfer certain funds therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the town council of the town of Woodsfield, Monroe county, Ohio, are hereby authorized to transfer, not exceeding three hundred dollars, from the police fund of said town to the street fund thereof.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 568.]

AN ACT

To authorize the trustees of Johnson township, Champaign county, Ohio, and the council of the village of Saint Paris, to purchase a site and erect thereon a town hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the trustees of the township of Johnson, Champaign county, Ohio, be and they are hereby authorized to purchase a site and erect thereon a town hall, and to raise money for that purpose not to exceed the sum of three thousand dollars ($3,000) in the manner hereafter named.

SEC. 2. That the trustees of said township be authorized to issue bonds, not exceeding in amount three thousand dollars, which bonds may be used in purchasing a site and building and finishing said town hall. Said bonds shall not be sold for less than their par value, and the proceeds of such sale shall be applied to said purpose. Said bonds shall be issued in denominations of not less than one hundred dollars ($100), bearing interest not exceeding six per cent. per annum, payable annually. Said bonds to mature in one, two, three, four and five years from date of issue of same, and in such amounts each year as said trustees may direct. Said township bonds to be signed by the trustees and countersigned by the clerk of Johnson township.

SEC. 3. That for the payment of said bonds and interest on same, said trustees are authorized and required to levy a tax on all taxable property within said township, in such amounts as will be necessary to meet the payments of said bonds and interest as they shall become due; which levy shall be placed on the tax duplicate by the auditor of said county, and collected as other taxes.

SEC. 4. Said town hall shall be erected within the limits of the incorporated village of Saint Paris, in said township.

SEC. 5. The council of the incorporated village of Saint Paris, and the trustees of said Johnson township may, by contract, make such arrangements as to the amount each shall contribute to the expenses and costs

of the erection and construction of said hall, and as to the interest in and control of the same when so constructed, as to them may seem just and equitable between said village and township.

SEC. 6. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 492.]

AN ACT

To divide the township of Brush Creek, Scioto county, into two election precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the township of Brush Creek, in the county of Scioto, be and the same is hereby divided into two election precincts for state, county, and township purposes, as follows:

Beginning at a point in the Brush Creek and Morgan township line, north of and near the residence of George [John] Hilt; thence with or near the north line of the Sloan farm to the east fork of Dry run; thence down Dry run to what is known as the west fork of Brush creek; thence across the said west fork of Brush creek and up Laurel fork, by the main branch thereof, to the township road on top of the ridge; thence by the dividing ridge, between the waters of Dunlap creek and the waters of the south fork of Brush creek to the Adams county line.

SEC. 2. That all that part of said township lying south of said dividing line shall be and is hereby constituted an election precinct, to be known and designated as the Otway precinct of said township; and all that part of said township lying north of said dividing line shall be and is hereby constituted an election precinct, to be known and designated as the Galena precinct of said township.

SEC. 3. This act shall take effect and be in force from and after the first day of May, A. D. 1884.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 359.]

AN ACT

To authorize the trustees of Rockport township, Cuyahoga county, Ohio, to levy a tax to construct a vault or receptacle for the dead.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Rockport township, Cuyahoga county, Ohio, be and they are hereby authorized to levy and assess a tax upon all the taxable

property in said township, not exceeding one and one-half mills on the dollar valuation in the year 1885, for the purpose of constructing a vault, or receptacle for the dead, for the use of said township; provided, that the trustees shall first submit the question of tax, or no tax, for the above named purpose, to the qualified voters of said township, at a general election, having given at least ten days' notice of the same, in at least ten public places in the aforesaid township, which notice shall state the amount to be raised.

SEC. 2. The electors voting at said election, shall have written or printed upon their ballots the words, "Tax—Yes;" or, "Tax—No;" and if two-thirds of all the electors voting on said proposition submitted shall vote, tax—yes, this act shall therefore be considered and held to be adopted by said township.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 520.]

AN ACT

To authorize the council of the incorporated village of Fostoria, Seneca county, Ohio, to transfer money from the marshal and police fund to the building and fire department fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the council of the incorporated village of Fostoria, Seneca county, Ohio, be and they are hereby authorized, permanently to transfer from the marshal and police fund of said village to the building and fire department fund, the sum of fifteen hundred dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 556.]

AN ACT

To authorize the township trustees of Wadsworth [township], Medina county, to issue bonds for the erection and completion of a school-house to be used for a normal school.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That the township trustees of Wadsworth township, Medina county, be and they are hereby authorized to issue the bonds of said township, in a sum

not to exceed twenty-five thousand dollars ($25,000), for the purpose of erecting and completion of a school-house, to be used for a normal school, in said township; and that said bonds shall be issued in sums of not less than one hundred dollars, nor more than one thousand dollars, bearing interest at not more than six [6] per cent. per annum, of not a longer date than twenty years, and to dispose of the same at not less than their par value.

SEC. 2. That before the issuing of said bonds or the levying of a tax for the payment of the same, the trustees shall cause to be submitted to the qualified electors of said Wadsworth township, at an election to be called by said trustees, of which they shall give at least twenty days' notice of the time and place of holding the same, by posting up notices upon the door of every school-house in the township, the question of issuing said bonds, and said election shall be held at the usual place of holding elections in said township, and conducted in the same manner as is prescribed by law for state and county elections. And at said election those in favor of issuing said bonds shall have written or printed upon their ballots, "Erection of normal school building—Yes;" and those opposed thereto shall have written or printed on their ballots, "Erection of normal school building—No." If the returns from said election shall show that a majority of those voting upon said proposition shall have upon their ballots, "Erection of normal school building—Yes," then the said board of trustees shall be fully empowered to proceed with the issuing and sale of said bonds. And the said board of trustees shall have power to levy upon all the taxable property of the township, in addition to the other taxes authorized by law, a tax sufficient to pay the principal and interest of said bonds at their respective maturities.

SEC. 3. That in case the electors of said township at the election above provided for shall decide in favor of the erection of said normal school building, it shall be the duty of said trustees to immediately select and appoint six suitable persons from among the electors of said township, who shall be designated as "Normal school managers," and who, when selected and appointed as aforesaid, shall have the management and control of the erection and completion of said normal school building. They shall also have power to select a site for the same and to make all contracts necessary for putting said school into full operation and to continue the same. And all orders upon the fund for the benefit of said normal school shall be agreed to and signed by a majority of said board of managers before any such order shall be paid; and said managers shall hold their office until the regular spring election on the first Monday of April, 1885.

SEC. 4. That at the regular spring election on the first Monday of April, 1885, there shall be elected by the qualified voters of said township, six "normal school managers," two of whom shall be for one year, two for two years, and two for three years, and annually thereafter two of said managers shall be elected for three years. And the board so elected shall have the entire control and management of the said normal school, with full power to make all contracts necessary and proper for the continuance of the same.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

Passed April 14, 1884.

JOHN G. WARWICK,
President of the Senate.

[House Bill No. 557.]

AN ACT

To divide Sugar Creek township, Stark county, into four voting precincts.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That Sugar Creek township, Stark county, be and is hereby divided into four voting precincts, as follows: Sections number 22, 23, 24, 25, 26, 27, 34, 35, 36, including all fractional sections between the three last-named sections and the line between Stark and Tuscarawas counties to constitute and to be known as the Beach City precinct.

That sections numbered 20, 21, 28, 29, 32, 33, and fractional sections lying south and west thereof along the line between the counties of Tuscarawas, Stark, Wayne and Holmes constitute a voting precinct, to be known as the Wilmot precinct.

That sections numbered 4, 5, 8, 9, 16, 17, and fractional sections 6, 7, and 18, to constitute a voting precinct, to be known as the Elton precinct.

That sections 1, 2, 3, 10, 11, 12, 13, 14, and 15, to constitute a voting precinct, to be known as the Justus precinct.

The trustees of said Sugar Creek township to fix the places of holding elections in said precincts.

SEC. 2. This act shall take effect on and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 505.]

AN ACT

To authorize the commissioners of Delaware county, Ohio, to complete a bridge.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be lawful for the commissioners of Delaware county, Ohio, and they are hereby authorized to complete a bridge over the Olentangy river, on Winter street, in the city of Delaware, at a cost in addition to that authorized in an act to authorize said commissioners to construct said bridge, passed April 16, 1883, not to exceed five thousand dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 560.]

AN ACT

To authorize the village council of the incorporated village of Coshocton, Ohio, to transfer certain funds from the police fund of said village to the Coshocton union school district.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the village council of the incorporated village of Coshocton, be and they are hereby authorized and empowered to transfer from the police fund of said village the sum of $900 to the board of education of the Coshocton union district, to be used by said board in the support and maintenance of the schools of said village.

SEC. 2. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 564.]

AN ACT

To authorize the trustees of Amherst township, and the council of the incorporated village of North Amherst, to erect a town hall, and to borrow money in payment thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the trustees of Amherst township, Lorain county, Ohio, and the council of the incorporated village of North Amherst, in said township, be and they are hereby authorized jointly to purchase a site and erect thereon a town hall and engine house and to furnish the same, within the limits of said village, the cost of which shall not exceed twenty-five thousand dollars; that the cost of said site and of said hall shall be apportioned between said township and said incorporated village as follows: one-third shall be collected and paid by said council of said incorporated village, and two-thirds by the trustees of said township.

SEC. 2. That said trustees are hereby authorized to levy a tax upon all the taxable property in said township, and the council of said incorporated village is hereby authorized to levy a tax upon all the taxable property in said incorporated village, not exceeding four mills on a dollar in any one year, during a period of not exceeding seven years, commencing in the year 1884, for the purpose of providing the means with which to pay for said site and said hall and furnishing the same.

SEC. 3. In anticipation of the money arising from said levies, said trustees are hereby authorized to borrow money and issue bonds of said township not exceeding in amount their proportion of the cost of said site and of said hall and furnishing the same, of such denominations and payable at such times as said trustees may determine, and bearing interest at a rate not exceeding six per cent. per annum, payable annually; and the council of said incorporated village is hereby authorized to issue

bonds of said village for its proportion of the cost of said site and said hall and furnishing, of such denominations and payable at such times as said council shall determine, bearing a like rate of interest. None of said bonds issued under this act shall be sold for less than their par value.

SEC. 4. Said trustees and said village council shall procure a plan and specifications for said hall, and the job of constructing and furnishing the same shall be advertised and let in the manner provided by law. The engine room and such parts of said hall as are designed for the use of said village exclusively, shall be under the control of said council, and all other parts of said hall shall be under the joint control of said trustees and said council. All future repairs and the cost of the care and insurance of the said building shall be borne by said trustees and said council in the following proportions, to wit: one-third by said council and two-thirds by said trustees.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 532.]

AN ACT

To authorize the commissioners of Hamilton county to transfer certain funds, and repair Harrison Avenue, in Miami township, and the River road.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county be and are hereby authorized and directed to repair, grade and macadamize Harrison avenue, in Miami township, said county, out of any unexpended balance in the North Bend bridge fund, in any sum not exceeding four thousand six hundred and sixteen dollars, beginning at a point where said avenue intersects what is known as the North Bend road and running eastwardly to a point where the said avenue intersects what is known as the State road.

SEC. 2. That said commissioners are further authorized and directed to repair, grade and macadamize the River road along the west bank of the Great Miami River, in Whitewater township, beginning at a point just south of the former seat of Cilley's mill, and ending at the residence of Joseph H. Andrews, out of any unexpended balance of said North Bend bridge fund, in any sum not exceeding one thousand dollars.

SEC. 3. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 162.]

AN ACT

To authorize the commissioners of Hamilton county, Ohio, to build an iron bridge across the Little Miami river, and abutments, fills and approaches in Anderson and Spencer townships, in said county, and to issue bonds and levy taxes.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the commissioners of Hamilton county be and the same are hereby authorized and directed to construct an iron bridge across the Little Miami river, and abutments, fills, and approaches, in Anderson and Spencer townships, of said county, at or near Myers', at the old site where the old bridge was destroyed by the February flood of 1884, on the New Richmond pike.

SEC. 2. For the purpose of raising money to defray the expenses of constructing said bridge, abutments, and fills and approaches, said commissioners are authorized and directed to issue bonds of said Hamilton county, at not less than their par value, in sums not less than five hundred dollars ($500) each, bearing interest at a rate not to exceed five (5) per cent. per annum, payable semi-annually, not to exceed in the aggregate the sum of forty thousand dollars ($40,000), said bonds to be negotiable and payable within twelve years from the date of their issue, and all surplus over and above the amount required to build said iron bridge, abutments, fills and approaches, to be transferred to the county fund.

SEC. 3. Said bonds shall be signed by said commissioners and countersigned by the auditor of Hamilton county, who shall keep a record of all bonds issued under and by virtue of this act, to whom issued and made payable, and when redeemable.

SEC. 4. For the purpose of paying the interest and principal of said bonds, said commissioners are hereby authorized, directed, and empowered, in addition to the other levies authorized by law, if there is not a sufficient surplus of funds provided for in the county sinking fund to pay the interest and principal of said bonds, to levy a tax upon all taxable property of Hamilton county, sufficient to pay the same, upon each dollar valuation thereof.

SEC. 5. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[Senate Bill No. 258.

AN ACT

To authorize the trustees of Monroe township, Pickaway county, to provide for a deficiency.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That he trustees of Monroe township, Pickaway county, Ohio, for the purpose f meeting and providing for a deficiency in the township funds of said

township, arising from insufficient levies for township purposes, be and are hereby authorized and empowered to issue bonds of said Monroe township in sums of not less than one hundred dollars each, and in the aggregate not to exceed eight hundred dollars, which bonds shall have proper interest coupons attached, and bear a rate of interest not exceeding eight per centum per annum, payable on the first days of September and March in each year. The payment of the principal of said bonds shall not be deferred beyond a period of three years, and said bonds shall not be sold for less than their par value.

SEC. 2. Said bonds shall be signed by said trustees and attested by the clerk of said township, who shall keep a record of all bonds issued and to whom issued. Said bonds shall be negotiable and payable at such place as said trustees may determine, in Pickaway county, which place shall be specified in the bonds.

SEC. 3. That said trustees are hereby authorized to levy a tax to pay the principal and interest of said bonds, not exceeding in any one year one-half of one mill on the dollar of the valuation of the taxable property in the years 1884 and 1885.

SEC. 4. This act shall take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

[House Bill No. 411.]

AN ACT

To create a village school and road district in Delhi and Miami townships, Hamilton county, Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the following described territory, to wit: Lying and being in the extreme north-western portion of Delhi township and in the extreme south-easterly portion of Miami township, Miami purchase, Hamilton county, Ohio, and more particularly described as follows: Beginning at a point in section six (6), township two (2), fractional range one (1), where the easterly line of C. W. Short's sub-division of Fern bank as recorded in plat book six (6), pages twenty (20) and twenty-one (21) of the land records of said county, intersects low-water mark in the Ohio river; thence north-easterly along said easterly line of said sub-division to the intersection thereof with Muddy creek; thence north westerly and westwardly along Muddy creek and the meanderings thereof to its intersection with the westerly line of Braeter's land; thence along said Braeter's westerly line north-westwardly to the center of the river road; thence north-easterly along said center line of said road to the center line of the county road in the south-easterly corner of section one (1), town one (1), fractional range two (2), known as South avenue; thence north-

easterly along said center line of said county road, to the easterly line of the aforesaid section one (1) (the same being the township line between Miami and Green townships); thence northwardly along the said easterly line of section one (1) to the north-east corner thereof; thence westwardly along the north line of said section one (1), and of section seven (7), town one (1), fractional range two (2) to Silver creek; thence south-westerly along said creek and the meanderings thereof to the low-water mark in the Ohio river; thence south-eastwardly along said low-water mark to the place of beginning, shall be and the same is hereby created and declared to constitute a village school and road district; provided, that a majority of the electors residing within said territory shall vote in favor of said village school and road district at an election to be held in the following manner:

SEC. 2. Written notices shall be posted in at least three (3) of the most public places within said territory, signed by at least three (3) resident electors of the same, requesting the qualified electors thereof, to assemble on a day, at least five days from the day of posting, at an hour and place designated in said notices, then and there to vote for or against the creation of said village school and road district. The electors assembled at the time and place designated in said notices, shall appoint a chairman and two clerks, who shall be judges of said election, which shall continue at least two hours, and shall not close before four (4) o'clock P. M. The electors in favor of the proposed village school and road district shall have written upon their ballots, "Village school and road district—Yes;" those opposed thereto, "Village school and road district—No;" and a majority of the ballots so cast shall determine the question whether or not the said proposed village school and road district shall be created.

SEC. 3. Should a majority of the ballots cast at said election be found in favor of the village school and road district as aforesaid, the electors shall at once proceed to elect five (5) members to constitute a board of education; one (1) to serve until the third Monday of April next succeeding his election, and two (2) to serve for one year and two (2) for two years from said third Monday and until the election and qualification of their successors.

SEC. 4. Said village school and road district shall be entitled to receive its proportionate share of the school and road funds and the funds levied for school, road and incidental expenses, in accordance with the road levy and the enumeration of the year 1883, of children who are entitled to attend school; said funds being now collected within the county or township treasury, and shall be governed by such laws as now or may hereafter be in force relating to village school and road districts.

SEC. 5. This act to take effect and be in force from and after its passage.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Passed April 14, 1884.

JOINT RESOLUTIONS.

[Senate Joint Resolution No. 1.]

JOINT RESOLUTION

To notify the Governor of the organization of the General Assembly.

Resolved by the General Assembly of the State of Ohio, That a committee of two on the part of the Senate, and three on the part of the House, be appointed to wait upon the governor and inform him that the general assembly is now in session and ready to receive any communication he may wish to transmit.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted January 23, 1884.

[Senate Joint Resolution No. 2.]

JOINT RESOLUTION

Relative to joint convention to count vote for state officers.

Resolved by the General Assembly of the State of Ohio, That the two houses of the general assembly meet in joint convention, in accordance with the provisions of section 38 of the revised statutes, on Wednesday, January 9, 1884, at eleven o'clock A. M., and count the vote for state officers, at the election held on the second Tuesday of October, A. D. 1883.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted January 23, 1884.

[Senate Joint Resolution No. 3.]

JOINT RESOLUTION

Relative to inauguration of governor elect.

Be it resolved by the General Assembly of the State of Ohio, That a committee of three on part of the Senate, and five on part of the House, be ap-

pointed to make such arrangements as may be necessary for the inauguration of the governor elect on Monday next, the 14th inst.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted January 23, 1884.

[Senate Joint Resolution No. 4.]

JOINT RESOLUTION

To provide for obtaining statistics as to certain courts.

Resolved by the General Assembly of the State of Ohio, That the secretary of state be and is authorized and directed to require of the clerks of the court of common pleas a full and accurate report upon the following matter for the use of the general assembly, and the clerk of said court in each and every county shall return such report at the time he shall appoint:

1st. What number of suits were pending or unfinished in the court of common pleas, superior court and district court in each county on the 1st day of January, in the years 1882, 1883 and 1884, severally.

2nd. What number of such suits were of a civil nature and what number criminal. What number of such suits in the district courts were appeals and what number were in error.

3rd. What number of days were each of said courts respectively in actual session, at each term thereof held in the year 1883, and what judge or judges held each of said terms, and what number of days were each of said judges in actual attendance in court at each of said terms.

Resolved, further, That the secretary of state shall, without delay, prepare and transmit to each of the said clerks of the courts, printed blanks in proper form for returning the information so required, with the necessary instructions for filling the same, and that he report the results to the general assembly, printed so far as practicable in tabular forms, on or before the 1st day of February, 1884, and if practicable, arranging the statistics of the district courts so as to exhibit the same for each judicial district and subdivision separately.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted January 23, 1884.

[Senate Joint Resolution No. 8.]

JOINT RESOLUTION

Relative to appointing joint committee on rules.

Resolved by the General Assembly of the State of Ohio, That a joint committee of three on the part of the Senate, and five on the part of the House, be appointed on joint rules.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted January 23, 1884.

[House Joint Resolution No. 1.]

JOINT RESOLUTION

In reference to tariff on wool.

WHEREAS, The Forty-seventh Congress reduced the tariff on imported wool, against the protest of every wool-grower of the state of Ohio and the United States; and

WHEREAS, The said reduction of tariff on imported wool discriminates against the wool-growers of the West, in favor of the manufacturers of the East, thereby compelling the wool-growers of the West to compete with cheap wool of foreign countries, to their very great injury; and

WHEREAS, That tariff was reasonable and not too high before the reduction, and stands now at a rate so low as to injuriously affect that large and respectable class of people who have devoted themselves to wool-growing; and

WHEREAS, An Ohio Congressman has already introduced a bill in the House of Representatives of the Forty-eighth Congress to restore the tariff on wool as it stood prior to the recent reduction, which should be passed at the earliest time possible; therefore, be it

Resolved by the General Assembly of the State of Ohio, That our senators in Congress be and are hereby instructed, and our representatives requested to use all honorable means and vote for the bill to restore the tariff on wool as it stood prior to the recent reduction, and that the governor be requested to send a copy of this resolution to each of our senators and representatives at Washington.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted January 23, 1884.

[House Joint Resolution No. 8.]

JOINT RESOLUTION

Providing for printing additional copies of the report of the "Coal Screening Commission."

Resolved by the General Assembly of the State of Ohio, That in addition to the number now authorized by law, there shall be printed for the use of the members of the Senate and House, ten thousand additional copies of the report of the "Coal Screening Commission."

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted January 23, 1884.

[House Joint Resolution No. 7.]

JOINT RESOLUTION

Providing for a joint convention of the two houses for the election of a United States senator.

Be it resolved by the General Assembly of the State of Ohio, That the members of the two branches of the general assembly convene in joint assembly in the hall of the House of Representatives, at twelve o'clock meridian, on Wednesday, January 16th, 1884, for the purpose of taking such action relative to the election of a United States Senator as is provided by law.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted January 23, 1884.

[House Joint Resolution No. 2.]

JOINT RESOLUTION

Requesting our senators and representatives to so adjust the tariff as to encourage productive industries at home.

Be it resolved by the General Assembly of the State of Ohio, That we favor a tariff for revenue limited to the necessities of the government, economically administered, and so adjusted in its application as to prevent unequal burdens, encourage productive industries at home, and afford just compensation to labor, but not to create or foster monopolies, and that the governor of Ohio be requested to forward copies of this resolution to each of our senators and representatives from Ohio at Washington.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE.
President pro tem. of the Senate.

Adopted January 26, 1884.

[House Joint Resolution No. 4.]

JOINT RESOLUTION

Providing for the printing of additional copies of certain house bills herein named.

Be it resolved by the General Assembly of the State of Ohio, That in addition to the number now authorized by law, there shall be printed for the use of the members, one thousand additional copies of House Bill No. 1; one thousand copies of Senate Bill No. 6, by Mr. Reed; three hundred additional copies of Senate Bill No. 4; three thousand copies of the report of the commission on convict contract labor, and five hundred additional copies of the following bills: House Bills numbers 2, 6, 8, 10, 11, 12, 18, 21, 22, as requested by the Sergeant-at-Arms having the bills in charge, who reports that these bills have been exhausted, and there are none for the use of the senate and state officers, as required by law.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted January 26, 1884.

[Senate Joint Resolution No. 7.]

JOINT RESOLUTION

Relative to binding in cloth of one thousand copies of the auditor of state's report.

Resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and he is hereby directed to cause to be bound in cloth, one thousand (1,000) copies of the annual report of the auditor of state for the year 1883. (See O. L. vol. 80, p. 105.)

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted January 26, 1884.

[Senate Joint Resolution No. 15.]

JOINT RESOLUTION

Relative to printing of fifty (50) copies each, of the petition and answer in the contested election case of Pike vs. Haines.

Resolved by the General Assembly of the State of Ohio, That the clerk of the senate is hereby directed to have printed fifty (50) copies each of the petition and answer in the contested election case of Pike vs. Haines.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted January 30, 1884.

[Senate Joint Resolution No. 9.]

JOINT RESOLUTION

Relative to allowing pay for expenses incurred in the inauguration of governor elect Hoadly.

Be it resolved by the General Assembly of the State of Ohio, That out of any money in the treasury not otherwise appropriated, the sum of one hundred dollars and ninety-nine cents ($100.99) be paid as follows: Messrs. Slade & Kelton, bill of lumber, $41.09; Messrs. McCune, Lonnis & Griswold, bill for nails and tacks, $2.40; Messrs. Halm, Bellows & Co., bill for four chairs and for use of 8½ doz. chairs, $14.50; J. S. Flowers, for laboring, building staging, etc., $35.00; For money paid by representative Loewenstein for use of three carriages, $8. Total $100.99. Being expenses incurred in the inauguration of the governor of the state of Ohio January 14th, 1884.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted January 31, 1884.

[House Joint Resolution No. 16.]

JOINT RESOLUTION

Authorizing the standing committees on prisons, prison reforms, and penitentiary to make such examinations as will enable them to act intelligently upon the matters referred to them.

Be it resolved by the General Assembly of the State of Ohio, That the standing committee on prisons and prison reforms of the house and the standing committee on penitentiary of the senate be and are hereby authorized to act jointly or separately in making such examinations as may be deemed necessary to enable them to act intelligently upon the matters referred to them for consideration, and they are hereby empowered to send for persons, papers, etc., as provided in section 50 of the revised statutes.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted January 31, 1884.

[House Joint Resolution No. 12.]

JOINT RESOLUTION

Directing the adjutant-general to loan to the committee of the "Old Guard" association, tents, camp and garrison equipage, etc.

WHEREAS, A national reunion of ex-soldiers and sailors of the late war is to be held in the city of Dayton, on Tuesday, Wednesday and Thursday, the 29th, 30th and 31st days of July, 1884, at which time the

soldiers' monument, erected by the county commissioners of Montgomery county, in the city of Dayton. will be dedicated; be it therefore

Resolved, by the General Assembly of the State of Ohio, That the adjutant-general of the state is hereby instructed and authorized to loan to the executive committee of the "Old Guard" association, and of the Grand Army of the Republic, of Dayton, Ohio, for the above specified occasion, such number of tents, camp and garrison equipage, ordnance, inclusive of cannon, muskets and accoutrements, as may at that time be in his possession and not in use by the National Guard of the state, and to accord them such other assistance and privileges as shall not materially conflict with the preservation of the public property of the state; provided, said property shall be taken and returned without expense to the state of Ohio.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted January 31, 1884.

[House Joint Resolution No. 10.]

JOINT RESOLUTION

Providing for a supply of small county maps.

Resolved by the General Assembly of the State of Ohio, That there be printed for the use of the Senate and House of Representatives, five hundred small outline maps of Ohio, said maps to show the county lines of the several counties, and also the population of each county.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 5, 1884.

[Senate Joint Resolution No. 12.]

JOINT RESOLUTION

Relative to the printing of three hundred (300) additional copies of Senate Bill No. 16.

Resolved by the General Assembly of the State of Ohio, That the clerk of the senate is hereby directed to have printed three hundred (300) additional copies of Senate Bill No. 16, a portion of the original bill having been omitted in printing the same.

L. A. BRUNNER,
Speaker pro. tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 5, 1884.

[Senate Joint Resolution No. 11.]

JOINT RESOLUTION

Relative to recommending to congress a government inspection of pork in certain cases.

WHEREAS, American pork has been excluded from the markets of France and Germany, for nearly four years, thereby causing great loss to the hog raisers of Ohio, and other states; and

WHEREAS, The alleged reason for such exclusion (the diseased condition of American pork) we believe to be without foundation in fact; therefore,

Resolved by the General Assembly of the State of Ohio, That we would recommend to our members of Congress a system of government inspection of meats exported to foreign countries, that will prohibit the exportation of all meats not in a healthy condition, or such other legislation either retaliatory or otherwise, as may be necessary to remove the restrictions now placed by France and Germany upon American pork.

Resolved, further, That the governor be requested to forward to each of our senators and representatives in Congress a copy of these resolutions.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 5, 1884.

[House Joint Resolution No. 14.]

JOINT RESOLUTION

Providing for 2000 copies of the report of the United States commissioners of agriculture on the condition of Ohio forestry.

Be it resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and he is hereby directed to print and bind in pamphlet form, for the use of the general assembly, 2,000 copies of the report of the United States commission of agriculture on the condition of Ohio forestry, said 2,000 copies to contain lithographed copies of diagrams accompanying said report.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 5, 1884.

[House Joint Resolution No. 17.]

JOINT RESOLUTION

Relative to paying employes who assisted officers of this assembly.

Resolved by the General Assembly of the State of Ohio, That there be paid to the following named persons for services rendered to the present officers of this House at the opening of the session, as follows, to wit:

D. J. Edwards, twenty-five dollars ($25); J. S. Tyler, twenty-five dollars ($25); Israel Underwood, twenty-five dollars ($25); Abram Moore, twenty-five dollars ($25); John R. Malloy, fifty dollars ($50); C. C. Wheeler, twenty-five dollars ($25). And the speaker of the House is hereby authorized to certify said amounts to each of said persons, payable from the appropriations for the Legislature.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Adopted February 5, 1884.

[House Joint Resolution No. 19.]

JOINT RESOLUTION

Relative to printing extra copies of House Bill No. 121.

Resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be directed to have printed for the use of the members of the house and senate, five hundred extra copies of House Bill No. 121, authorizing the burial of the body of any honorably discharged ex-union soldier, sailor or marine of this state, who shall hereafter die without leaving means sufficient to defray funeral expenses.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Adopted February 14, 1884.

[House Joint Resolution No. 18.]

JOINT RESOLUTION

Relative to Thomas E. Lamping, insane.

WHEREAS, Fred. A. Lamping, a resident of Washington county, Ohio, petitions this general assembly in behalf of his son, Dr. Thomas E. Lamping, also a resident of Washington county, Ohio, who removed from Kentucky to said county a few weeks ago, and has since become violently insane, and in need of the care and restraint which can only be secured in an asylum; and

WHEREAS, Said Dr. Thomas E. Lamping, by leaving the state of Kentucky, has lost the benefit of a residence there, and cannot be received into any of the institutions of that state; and

WHEREAS, Under the statutes now in force, said Dr. Thomas E. Lamping is not eligible for admission to any asylum of this state, for the reason that he is not a legal resident of this state; and

WHEREAS, The sheriff of Washington county telegraphs to this body that said Lamping is now confined in Washington county jail and that it is a deplorable case, and his parents are wholly unable to give him private treatment, having no means to do so; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the said Dr. Thomas E. Lamping, having been adjudged insane by the probate court of Washington county, upon the certificates of two physicians, the superintendent of the Athens Asylum for the Insane be and is hereby authorized and required to receive said Dr. Thomas E. Lamping into said institution for treatment, and if said patient recovers return or deliver him to the proper authorities of Washington county.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 14, 1884.

[House Joint Resolution No. 20.]

JOINT RESOLUTION

Relative to railroads from Marquette and Ontonagon to state line.

WHEREAS, June 3d, 1856, Congress made a grant of land to the state of Michigan to aid in constructing two railroads, one from Marquette to the Wisconsin state line, and another from Ontonagan to same point; said grant on condition that the roads should be built within ten years, or the land revert to the United States; and

WHEREAS, Congress, by joint resolution, approved July 5th, 1862, changed the route of first named road granting lands therefor, thus abandoning one of original lines, and along the other no road has ever been built; and

WHEREAS, Relinquishments were made by the state in due form to the lands along both the original lines, after ten years limitation had expired, and the state had relinquished as above stated, the land department treated the land as other public land and sold them as such, receiving pay therefor, over 800,000 acres of the same being sold, large quantities being owned by citizens of Ohio, said lands being rich in mineral, agricultural and lumber products; and

WHEREAS, It being recently discovered that all these titles granted by the government are endangered; therefore, be it

Resolved by the General Assembly of the State of Ohio, That our senators and representatives in Congress be and are hereby requested to vote for and to use all honorable means to secure the passage of "Senate Bill 691, to confirm and declare legal the acts of certain officers of the United States."

And that the governor be requested to forward copies of this resolution

to the presiding officer of each House of Congress, and to each of the senators and representatives in Congress from Ohio.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 14, 1884.

[Senate Joint Resolution No. 22.]

JOINT RESOLUTION

Requesting senators and representatives in congress to secure pensions for survivors of prisons of the south during the late rebellion.

WHEREAS, Many Union soldiers, prisoners of war, were confined in Libby, Andersonville, and other southern prisons during the late war of the rebellion, and by reason of said imprisonment and the consequent sufferings entailed thereby, the general health and constitutional vitality of those who survived said imprisonment was so impaired as to bring on a premature breaking down of general health and of the vital powers; and

WHEREAS, It is but simple justice to those deserving and patriotic men, that their strong claims to the sympathy of the country should receive such recognition as their merit, suffering and patriotic services demand; therefore, be it

Resolved by the General Assembly of the State of Ohio, That our senators and representatives in Congress from the state of Ohio are hereby requested to use their influence in the Congress of the United States to procure the passage of an act granting pensions to those surviving soldiers, prisoners of war confined in southern prisons as above recited.

Resolved, further, That the governor be and he is hereby requested to transmit to each of our senators and members in Congress a copy of these resolutions.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 14, 1884.

[Senate Joint Resolution No. 17.]

JOINT RESOLUTION

Relative to the printing of four thousand (4000) extra copies of the circular and catalogue of the Ohio state university.

Resolved by the General Assembly of the State of Ohio, That there be printed and bound four thousand (4,000) extra copies of that portion of the annual report of the trustees of the Ohio state university, known as the

"Circular and Catalogue," and that said copies shall be distributed by the trustees and faculty of said university.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 15, 1884.

[Senate Joint Resolution No. 18.]

JOINT RESOLUTION

Requesting senators and representatives in congress to vote for an increase of pensions in certain cases.

WHEREAS, Federal soldiers and sailors of the late war who lost one eye in the service, only receive a pension of four dollars per month, which is unjust when compared with pensions allowed for other disabilities; and

WHEREAS, A bill is now pending in the House of Representatives of the United States providing for the increase of such pensions from four to eighteen dollars per month; therefore, be it

Resolved by the General Assembly of the State of Ohio, That our senators and representatives in Congress be and are hereby requested to vote for such bill and said increase, and to use all honorable means to secure the passage thereof, and that the governor of Ohio be requested to forward copies of this resolution to the presiding officer of each House of Congress, and to each of the senators and representatives from Ohio.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted February 21, 1884.

[Senate Joint Resolution No. 19.]

JOINT RESOLUTION

Requesting senators and representatives in congress to urge the passage of a law for the equalization of bounties.

WHEREAS, A great irregularity exists among the Union soldiers of the late war, in the amount of bounties they received; and

WHEREAS, The present condition of our revenues render it easy for our government to do justice by its brave defenders; therefore,

Resolved, That it is the sense of this general assembly that Congress should, at its earliest opportunity, pass a law equalizing the bounties of Union soldiers.

Resolved, That the governor be requested to furnish each of our senators and representatives in Congress a copy of these resolutions.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Adopted February 21, 1884.

[Senate Joint Resolution No. 80.]

JOINT RESOLUTION

Relative to the printing of joint rules.

Be it resolved by the General Assembly of the State of Ohio, That there be printed for the use of Senators and members of the House, fifteen hundred copies of the rules of the Senate and House, including joint rules, names of members with post office address, and lists of committees; also that there be included therewith extracts from the constitution, laws, and revised statutes of the United States, with the rulings of the courts thereon, as found in the manual adopted by the 65th General Assembly; that one thousand of said copies be bound in muslin and five hundred copies thereof be bound in turkish leather in style substantially as printed and bound for the 65th General Assembly.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Adopted February 21, 1884.

[House Joint Resolution No. 25.]

JOINT RESOLUTION

Relative to instructing the adjutant-general to loan tents to the sufferers of the flood.

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general of the state is hereby authorized and required to loan, for the use of those citizens of the state of Ohio who, by reason of the recent floods, have been rendered homeless and shelterless, any and all of the army tents belonging to the state of Ohio not otherwise employed, under such restrictions and regulations as in his judgment will best secure their safe return to the state when no longer needed for the protection and comfort of the unfortunate sufferers.

A. D. MARSH,
Speaker of the House of Representatives.

ELMER WHITE,
President pro tem. of the Senate.

Adopted February 21, 1884.

[Senate Joint Resolution No. 81.]

JOINT RESOLUTION

Relative to the printing of five hundred extra copies of S. B. No. 83.

Resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be directed to have printed for the use of the members of the Senate and House of Representatives, five hundred extra copies of S. B. No. 83, "To establish a state asylum for the cure of inebriates."

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 26, 1884.

[House Joint Resolution No. 21.]

JOINT RESOLUTION

Relative to foreign cheap labor.

Be it resolved by the General Assembly of the State of Ohio, That we earnestly appeal to our senators and representatives in Congress to labor diligently and vote for the passage of some such bill as that introduced by M. A. Foran, to prohibit the importation and migration of foreigners, aliens, under contract or agreement to perform labor in the United States.

Resolved, That the governor be requested to forward copies of this resolution to our senators and representatives in Congress.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 28, 1884.

[Senate Joint Resolution No. 33.]

JOINT RESOLUTION

Relative to the printing of five hundred (500) copies of S. B. 93.

Be it resolved by the General Assembly of the State of Ohio, That the supervisor of public printing is hereby directed to have printed for the use of the members of the general assembly, five hundred (500) extra copies of Senate Bill No. 93, by Mr. Ely: To reorganize and unite the Ohio university, the Miami university and the Ohio State university.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 28, 1884.

[House Joint Resolution No. 28.]

JOINT RESOLUTION

Relative to the printing of one thousand extra copies of H. B. No. 197.

Resolved by the General Assembly of the State of Ohio, That there be printed one thousand extra copies of House Bill No. 197, by Mr. Finley, regarding a general road law, for the use of members of this assembly.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted February 28, 1884.

[House Joint Resolution No. 15.]

JOINT RESOLUTION

Providing for the printing of five thousand copies of the evidence taken by the "Screen Commission."

Resolved, That five thousand copies of the evidence taken by the "Screen Commission," and sent to the House by the governor, be printed and bound with the report of said commission, as provided for by H. J. R. No. 3, by Mr. McBride.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted March 5, 1884.

[House Joint Resolution No. 24.]

JOINT RESOLUTION

Relative to the remains of the late J. A. McGahan.

WHEREAS, The remains of the late J. A. McGahan, a distinguished citizen of the state of Ohio, are buried in Turkey; and

WHEREAS, It would be more in accordance with the fitness of things and the dictates of humanity, that they should find sepulchre in a Christian country and his own native land; therefore,

Resolved by the Senate and House of Representatives of the General Assembly of the State of Ohio, That a committee of [four] on part of the Senate, and three on part of the House be appointed by the presiding officers thereof to consider the question of the removal of the remains of the said J. A. McGahan to the United States for burial, and report their recommendation thereon to the two Houses of this general assembly.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted March 5, 1884.

[Senate Joint Resolution No. 35.]

JOINT RESOLUTION

Relative to the payment of certain claims out of certain funds appropriated for the benefit of flood sufferers.

WHEREAS, The mayor of Cincinnati, Ohio, by virtue of the authority invested in him by section 3096 of the revised statutes, did call out the first regiment of Ohio national guards, the second Ohio battery and first veteran regiment; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the committee appointed by virtue of substitute for S. B. No. 76, passed February 13, 1884, for the purpose of distributing the appropriation made for the relief of the flood sufferers, are hereby authorized to pay out of the fund therein appropriated, on the order of the adjutant-general, to the first regiment of Ohio national guards, and the second Ohio battery, the sum of seven thousand eight hundred and forty-three dollars ($7,843); and to the first veteran regiment, the sum of three thousand and sixty-two and $\frac{6}{100}$ dollars ($3,062.06); for subsistence for first regiment O. N. G. the 2nd Ohio battery and the 1st veteran regiment, the sum of two thousand four hundred and thirty-one and $\frac{60}{100}$ dollars ($2,431.60); computations for said services and subsistence shall be made by the adjutant-general according to law.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted March 5, 1884.

[House Joint Resolution No. 30.]

JOINT RESOLUTION

Relative to the printing of fifteen hundred copies of each of the following bills: H. B. No. 247, H. B. No. 262; four hundred copies of S. B. No. 59, and fifteen hundred copies of S. B. No. 117.

Resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be and is hereby instructed to have printed for the use of the members of the Senate and House of Representatives, fifteen hundred copies of each of the following bills: House Bill No. 247, Mr. Bargar, to confer appellate and other jurisdiction upon the circuit courts; and House Bill No. 262, Mr. Bargar, to provide for the organization of circuit courts and adapt existing legislation thereto, and four hundred and fifty extra copies of Senate Bill No. 59, Mr. Lewis, creating a State Board of Health, and regulating the practice of medicine and surgery, and defining the powers and duties of said board, and fifteen hundred copies of Senate Bill No. 117, by Mr. Dickinson, a bill establishing a circuit court, and providing for election and payment of the judges thereof and amending sections therein recorded.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted March 7, 1884.

[House Joint Resolution No. 87.]

JOINT RESOLUTION

Providing for the compensation, etc., of Company D, 6th Regiment O. N. G.

WHEREAS, The sheriff of the county of Lawrence, state of Ohio, by authority vested in him by section 3096 of the revised statutes, did call out company D, 6th regiment O. N. G.; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the committee appointed by virtue of the substitute for Senate Bill No. 76, passed February 13, 1884, for the purpose of distributing the appropriation made for the relief of the flood sufferers, are hereby authorized to pay out of the fund therein appropriated, on the order of the adjutant-general, to company D, 6th regiment O. N. G., the sum of $158.66 for subsistence, and the sum of $862.50 compensation for said services, and the said sums shall be paid by the adjutant-general according to law.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted March 11, 1884.

[Senate Joint Resolution No. 88.]

JOINT RESOLUTION

Relative to authorizing the secretary of state to transmit the standard yard of the state of Ohio to the department of weights and measures of the U. S. Government at Washington, D. C.

Be it resolved by the General Assembly of the State of Ohio, That the secretary of state is hereby authorized to transmit the standard yard of the state of Ohio to the department of weights and measures of the U. S. Government at Washington D. C., for the purpose of comparison with the United States standard of length.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted March 13, 1884.

[Senate Joint Resolution No. 86.]

JOINT RESOLUTION

Relative to the payment of certain sums to the 17th Regiment Ohio National Guards and to the 18th Regiment Ohio National Guards by the adjutant-general.

Resolved by the General Assembly of the State of Ohio, That the committee appointed by virtue of the substitute for Senate Bill No. 76, passed February 13, 1884, for the purpose of distributing the appropriation

made for the relief of the flood sufferers, are hereby authorized to pay out of the fund therein appropriated, on the order of the adjutant-general, to Company B, 17th Regiment Ohio National Guards, the sum of $188 for subsistence, and the sum of $400 as compensation for services while on special duty at Zanesville during the flood in the month of February last; and also to Company C, 13th Regiment Ohio National Guards, the sum of 81\frac{44}{100}$ for subsistence, and the further sum of $572 as compensation for services while on special duty at Manchester, Adams county, Ohio, during the said flood; and the said several sums shall be paid by the adjutant-general according to law.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted March 13, 1884.

[Senate Joint Resolution No. 26.]

JOINT RESOLUTION

Relative to having the governor, secretary of state, and adjutant-general to have printed in book form, the complete roster of regiments or parts of regiments furnished by Ohio in the war with Mexico, or the war of the rebellion.

Resolved by the General Assembly of the State of Ohio, That the governor, secretary of state, and adjutant-general be and they are hereby authorized to secure the publication in book form, of the complete roster of all the regiments or parts of regiments furnished by Ohio, in the war with Mexico, and in the war of the rebellion; said publication to contain the main items of the record of each officer and soldier, so far as the same is attainable, from the rolls now in the adjutant-general's office, and in the war department at Washington, and they shall begin said work as soon as practicable, and continue the same until the said printed roster is complete. The printing and binding to be under the direction of the commissioners of public printing, and the publication when completed shall be under the control of the officials first named, for such disposal as the general assembly may hereafter direct.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted March 15, 1884.

[House Joint Resolution No. 34.]

JOINT RESOLUTION

Requesting our senators and representatives to use all honorable means to secure an appropriation for the purpose of constructing a levee upon the water-front of Cincinnati.

WHEREAS, By reason of the recent annual overflows of the Ohio river, a large portion of the city of Cincinnati, one of the first internal revenue

districts of the country, has been desolated, the commerce among the several states has been greatly impaired, the revenue of the general government and of the state have been largely diminished, and the lives, health and property of many citizens have been destroyed; therefore, be it

Resolved by the General Assembly of the State of Ohio, That our senators representing the state in the senate of the United States be and they are hereby instructed, and that the representatives in congress from Ohio in the house of representatives be and they are hereby respectfully requested to use all proper means to secure an appropriation by congress for the purpose of constructing a levee upon the water front of Cincinnati, which shall protect said city of Cincinnati from damage by the overflow of the Ohio river in case said river shall rise to the extent of 72 feet.

Resolved, That the governor of Ohio be and he is hereby requested to transmit a copy of these resolutions to the several senators and representatives in congress from Ohio.

A. D. MARSH,
Speaker of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted March 18, 1884.

[Senate Joint Resolution No. 40.]

JOINT RESOLUTION

Relative to requesting our senators and representatives in congress to secure copies of muster-rolls of Ohio regiments in the late rebellion.

WHEREAS, A very large number of the muster rolls of the companies and regiments which served both in the Mexican war and the late civil war, have by some means been lost; and

WHEREAS, The secretary of war has been repeatedly requested by the adjutant-general of Ohio to permit an agent of the state to have access to the copies of the same belonging to the general government, and he has refused to accede to the request; therefore, be it

Resolved by the General Assembly of the State of Ohio, That our senators and representatives in congress be and they are hereby requested to take such action as may be necessary, either to have the general government furnish such rolls, or to get permission for an agent or agents of the state to have access to the proper departments and books or rolls for the purpose of procuring the same.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted March 20, 1884.

[House Joint Resolution No. 26.]

JOINT RESOLUTION

Relative to repairing time-locks on safe in state treasury department.

Be it resolved by the General Assembly of the State of Ohio, That the treasurer of the state be and he is hereby authorized and directed to contract with the Holmes Burglar Alarm Telegraph Co. of New York, for the cleaning and adding the dynamite safety device to the two time locks now on the safe in the state treasury department, at a cost not to exceed three hundred dollars.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted March 20, 1884.

[Senate Joint Resolution No. 42.]

JOINT RESOLUTION

Relative to authorizing the commissioners of the state library to procure three hundred copies of papers herein specified, and to their distribution by the state librarian, as herein specified.

Resolved by the General Assembly of the State of Ohio, That the commissioners of the state library be and are hereby directed to procure from the publishers, at a price not exceeding that heretofore paid by the state, three hundred copies of the so-called St. Clair papers. The state librarian is hereby directed to distribute the same as follows: one copy to each member and officer of the present general assembly; one copy to each member of the daily press now engaged in reporting the legislative proceedings, whose said employment shall be certified to the state librarian by the president of the Senate and speaker of the House; and one copy to each benevolent, penal and reformatory institution of the state not already supplied pursuant to a joint resolution adopted by the 65th general assembly, April 8, 1882. All copies that may remain after making the distribution provided for in this resolution, shall be retained in the custody of the state librarian, for the purpose of exchanges with other state libraries, and such further disposition as the general assembly may hereafter direct.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
ELMER WHITE,
President pro tem. of the Senate.

Adopted April 3, 1884.

[House Joint Resolution No. 40.]

JOINT RESOLUTION

Relative to loaning tents to the state board of agriculture.

Be it resolved by the General Assembly of the State of Ohio, That the adjutant-general be and he is hereby authorized, if in his judgment it will not be detrimental to the best interest of the militia, to loan to the Ohio state board of agriculture, for use during the state fair in September next, such number of tents in possession of the state and not then in use as may be required by said board, and said board shall return said tents in as good order as when received, and be responsible for all loss or injury.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 4, 1884.

[Senate Joint Resolution No. 47.]

JOINT RESOLUTION

Relative to William Morris, insane.

WHEREAS, William Morris, a resident of Butler county, is in a condition of insanity; and

WHEREAS, The quota for said Butler county in the Columbus asylum for insane if full; therefore,

Resolved by the General Assembly of the State of Ohio, That the superintendent of the Lucas county asylum for the insane be and is hereby authorized, directed and required, if not inconsistent with existing statutes, to receive the said William Morris as a patient into the said Lucas county asylum for the insane; provided, that there is room in said asylum for said patient, without discharging any patient now confined therein under existing law.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 10, 1884.

[Senate Joint Resolution No. 51.]

JOINT RESOLUTION

Relative to authorizing the secretary of state to forward certain volumes herein named to the law library at Cincinnati.

Resolved by the General Assembly of the State of Ohio, That the secretary of state forward to the librarian of the Cincinnati law library, three copies of each volume of the Ohio state reports, three copies of the re-

revised statutes, and one copy of Charles Cummin's and Sayler's statutes, one of each volume of general and local laws, now belonging to the state or which he may be able to purchase for the purpose; these volumes to be stamped "property of the state of Ohio," and to be retained in the said law library for the use of the courts and county officials of Hamilton county until required to be returned.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 10, 1884.

[House Joint Resolution No. 56.]

JOINT RESOLUTION

Relative to the printing of the proceedings of the state forestry association.

Be it resolved by the General Assembly of the State of Ohio, That the Ohio state horticultural society be and is hereby directed to embody in its next annual report, the proceedings of the last meeting of the state forestry association, and as soon as the forestry matter can be put in type, the supervisor of public printing shall cause to be printed and stitched separately ten thousand copies, of which five thousand shall be apportioned among the members of the general assembly and five thousand to the forestry association for distribution among the public schools of the state.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 10, 1884.

[House Joint Resolution No. 23.]

JOINT RESOLUTION

Relative to the organization of a national bureau of labor statistics.

WHEREAS, There is now before congress the consideration of measures looking to the organization of a national bureau of labor statistics; and

WHEREAS, Honest intelligent labor is the acknowledged foundation of all material prosperity in human affairs; therefore,

Resolved by the General Assembly of the State of Ohio, That we most earnestly sympathize with and approve of the measure, believing it to be an act both of wisdom and of justice and a step in the right direction for the increase and diffusion of that particular knowledge and information

which is of vital importance to the people of all classes, and especially the laboring classes.

Resolved, That we urge upon our representatives in congress such individual and concerted action in behalf of the measure as will be in harmony on their part with the spirit of these resolutions.

Resolved, That the governor be requested to forward a copy of these resolutions to each of our senators and members of congress.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Adopted April 10, 1884.

[House Joint Resolution No. 54.]

JOINT RESOLUTION

In reference to the appointment of a joint committee to investigate damages caused by a breach in Walhonding canal.

WHEREAS, John Hogle, John Wagner and John G. Frederick, of Coshocton county, have each presented claims to a joint meeting of the committee of finance of the senate and house of representatives against the state for damages sustained by them to their lands and crops situated on the Walhonding canal in the vicinity of what is known as the Six-mile dam across the Walhonding river in Coshocton county, by reason of a wash and overflow of water over and across their lands, caused by a breach in the Walhonding canal and the erection and continuance by the state of a dam across the Walhonding river;

AND WHEREAS, At a joint meeting of the finance committee of the senate and house of representatives, a sub-committee, consisting of two of the senate and three of the house of representatives, was appointed to view the premises and examine and ascertain the cause of the damages complained of and the extent thereof and report the same to said joint committee;

AND WHEREAS, Said sub-committee, on the 11th day of March, A. D. 1884, examined said premises, and report that they had not time or opportunity to determine the cause of the damages complained of or the extent thereof, and that it will require more time than can be given to that subject by a committee during the session of the legislature, and that it will be necessary to take testimony to determine the merits of said claims and the amount thereof; therefore,

Resolved by the General Assembly of the State of Ohio, That said committee, consisting of two members on the part of the senate and three members on the part of the house of representatives, be appointed to ascertain, first, whether there is a legal liability on part of the state, and if so, then said committee report to this general assembly, at its adjourned session, whether any of said claimants have sustained any damage to the lands or crops by reason of a breach in said canal and a failure of the state to keep the same in repair or the erection and continuance of said dam by the state, or, if any damages were sustained by the claimants, what was the cause thereof; what amount of money, if any, should be paid to each of said claimants for damages sustained by them; and that for the purposes

herein required, said committee shall have power to take testimony and to send for persons and papers, and to meet at a time and place to be fixed by said committee, and report to the adjourned session of the general assembly.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G WARWICK,
President of the Senate.

Adopted April 10, 1884.

[House Joint Resolution No. 43.]

JOINT RESOLUTION

Requesting our senators and representatives to vote for and urge the passage of Senate Bill No. 11 and House Bill No. 1189.

WHEREAS, There has been introduced in the United States senate, Bill No. 11, and in the house of representatives, Bill No. 1189, asking for pensioning of prisoners of war who were confined in confederate military prisons during the late war; therefore,

Resolved, That our senators and representatives in congress be and are hereby requested to vote for and urge the passage of the same at the earliest practical moment, and that the governor forward a copy of this resolution to each of our senators and representatives in Washington.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 11, 1884.

[Senate Joint Resolution No. 56.]

JOINT RESOLUTION

Relative to appointing a committee to visit the secretary of the navy of the U. S., to procure means for the return of the body of J. A. McGahan to his native home.

WHEREAS, The representatives of the press of the state of Ohio, and the citizens of this state generally desire that an effort be made to have the remains of the distinguished Ohio citizen, J. A. McGahan, brought to his native country; therefore, be it

Resolved by the General Assembly of the State of Ohio, That a committee of four be appointed, to consist of the president of the senate, or the president pro tem. of the senate, the speaker of the house of representatives, or the speaker pro tem. of the house of representatives, Hon. John O'Neill and Hon. H. C. Greiner, to visit the secretary of the navy at Washington, and request that a war vessel be ordered to Constantinople to return said remains.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 12, 1884.

[Senate Joint Resolution No. 57.]

JOINT RESOLUTION

Instructing the clerks of the house and senate to have published a list of the bills pending at the commencement of the adjourned session.

Be it resolved by the General Assembly of the State of Ohio, That the clerks of the house and senate, respectively, be and they are hereby required to make out a list of all the bills pending in the respective bodies at the close of the session, noting the stage in which such said bills appear upon the journals; and that they cause to be published three hundred copies of said list for the use of the general assembly, to be laid upon the tables of members at the commencement of the adjourned session.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 12, 1884.

[House Joint Resolution No. 57.]

JOINT RESOLUTION

Relative to adjournment.

Resolved, That the present session of the 66th general assembly adjourn on Monday, April 14th, at 9 o'clock A.M., to meet again Tuesday, January 6th, 1885, at 3 o'clock P.M.

L. A. BRUNNER,
Speaker pro tem. of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 11, 1884.

[House Joint Resolution No. 62.]

JOINT RESOLUTION

Directing the supervisor of public printing to bind together the copies authorized under H. J. R.'s Nos. 14 and 56.

WHEREAS, By H. J. R. No. 14, the publication of 2000 copies of the report on the forests of Ohio, prepared under the direction of the U. S. commissioner of agriculture, has been ordered by the legislature for distribution in the state; and

WHEREAS, By H. J. R. No. 56, 10,000 copies of the Ohio state forestry association have been ordered for the same purpose; and

WHEREAS, The two reports are strictly germain, and will be more serviceable when bound together than separately; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the supervisor of public printing is hereby directed to increase the number of the first report named to 5000 copies, and to reduce the number of the second report named to 5000 copies, and to bind the two reports together.

Resolved, That the distribution of the combined report be made on the same basis as is provided in H. J. R. No. 56, and that said H. J. R.'s Nos. 56 and 14 are hereby rescinded.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 14, 1884.

[House Joint Resolution No. 64.]

JOINT RESOLUTION

Providing for the appointment of a committee to investigate the Cincinnati election, etc.

Resolved by the General Assembly of the State of Ohio, That a joint committee of five, to consist of three on the part of the house and two on the part of the senate, be appointed, with authority, to act after the legislature adjourns for the purpose of investigating the election held in the city of Cincinnati, and make such inquiry as the public good may demand into the several departments of government of said city, past and present, and said committee shall have all the powers conveyed by law, upon the adoption of this resolution, and the expenses of said investigation by this committee shall be paid out of the legislative committee fund of the senate and house upon the order of the committee, countersigned by the president of the senate and speaker of the house. Further, said committee is empowered to employ a stenographer to take and preserve a full report of their proceedings.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 14, 1884.

[House Joint Resolution No. 63.]

JOINT RESOLUTION

Requesting the secretary of state to have all laws and amendments thereto affecting criminal proceedings, certified to at once, etc.

WHEREAS, At the present session of the general assembly of the state of Ohio, many changes have been made in the laws relating to criminals; and

WHEREAS, Many of the courts of common pleas will have to try criminals and pass sentences before it will be possible for the publication of the laws to be completed; therefore, be it

Resolved by the General Assembly of the State of Ohio, That the secretary of state cause all laws and amendments thereto affecting criminal proceed-

ings to be at once certified to the several judges of courts in this state having criminal jurisdiction.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 14, 1884.

[Senate Joint Resolution No. 44.]

JOINT RESOLUTION

Relative to appointing a committee to see that the industries of the state are represented at the World's Industrial Centennial Exhibition, to be held at New Orleans, in December, of 1884.

Resolved by the General Assembly of the State of Ohio, That a committee of three be appointed by the senate and five by the house, to consider ways and means for having the industries of Ohio properly represented at the World's Industrial and Cotton Centennial Exhibition, to be held in New Orleans, beginning the first Monday of December, 1884.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 14, 1884.

[House Joint Resolution No. 61.]

JOINT RESOLUTION

Relative to the removal of the body of J. A. McGahan to his native state.

WHEREAS, There has been appointed a special committee of the senate and house to inquire into and devise means whereby the body of J. A. McGahan, deceased, could be brought to this state, and buried in his native country; and

WHEREAS, A special committee has been authorized to go to Washington and make the proper arrangements with the navy and state departments; therefore, be it

Resolved, That there be appropriated the sum of three hundred dollars, out of any sum in the treasury not otherwise appropriated by law, for the purpose of paying any expense connected with the removal of the body of said J. A. McGahan deceased, and the amounts as needed to be drawn from the treasury upon warrants signed by the chairman of said first named committee, H. C. Greiner.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 14, 1884.

[House Joint Resolution No. 22.]

JOINT RESOLUTION

To authorize the secretary of state to purchase Williams' supplement to the revised statutes of Ohio.

SECTION 1. *Be it resolved by the General Assembly of the State of Ohio*, That the secretary of state is hereby authorized and directed to purchase for the use of the state, eighteen hundred and fifty copies of Williams' supplement to the revised statutes of Ohio, at a price not exceeding two dollars and fifty cents per copy; said volume to contain all the acts passed since July 1, 1879, which are amendatory of, and supplementary to, the revised statutes; also, all other acts of a general and permanent nature, passed since July 1, 1879, which were in force January 1, 1884, together with such other acts, general and permanent in their nature, in force January 1, 1884, as were not embraced in the act entitled "an act to revise and consolidate the general statutes of Ohio," passed June 20, 1879, all properly arranged, annotated and indexed, and delivered at the state bindery, folded and gathered into volumes ready for binding.

SEC. 2. The secretary of state shall cause said supplement and also the third edition of the revised statutes to be bound at the state bindery, the whole including the supplement to be bound in three volumes, arranged similar to copy of said works deposited in the office of the secretary of state.

SEC. 3. Volumes one and two of the third edition of the revised statutes and also the supplement when so bound, as provided in the preceding section, shall be distributed as follows: To the governor, secretary of state, and auditor of state, each two copies; to each remaining executive state officer, one copy; to each judge of the supreme court, supreme court commission, circuit court, and common pleas court, one copy; to each member of the present general assembly, one copy; to each probate judge, prosecuting attorney, clerk of the court, county auditor, county treasurer, sheriff, and county recorder, one copy; to the law library, two copies; to the state library, two copies; to the consultation rooms of the supreme court and supreme court commission, each five copies; and all officers except members of the present general assembly and judges of the supreme court, supreme court commission, circuit courts, and common pleas courts receiving copies as aforesaid shall deliver the same to their successors in office.

SEC. 4. The remainder of said copies shall be kept in the custody of the secretary of state, and at the opening of each session of the general assembly, he shall deliver one copy to each senator and representative for their use during the session, and at the close thereof they shall return the same to the secretary of state.

A. D. MARSH,
Speaker of the House of Representatives.

JOHN G. WARWICK,
President of the Senate.

Adopted April 14, 1884.

[House Joint Resolution No. 36.]

JOINT RESOLUTION

Relative to the printing of 2000 copies of the report of the Meteorological Bureau.

Be it resolved by the General Assembly of the State of Ohio, That the supervisor of public printing is hereby authorized to have printed 2,000 copies of the annual report of the meteorological bureau, to be distributed as the monthly reports of said bureau are now distributed, and said reports shall contain such charts and diagrams as may be necessary to explain the same.

A. D. MARSH,
Speaker of the House of Representatives.
JOHN G. WARWICK,
President of the Senate.

Adopted April 14, 1884.

[House Joint Resolution No. 51.]

JOINT RESOLUTION

Providing for the printing and distribution of labor statistics.

Resolved by the General Assembly of the State of Ohio, That there be printed four thousand additional copies of the seventh annual report of the commissioners of the Bureau of Statistics of Labor; twenty-five hundred for the use of the general assembly; fourteen hundred for the use of the commissioner; and one hundred for the state library.

A. D. MARSH,
Speaker of the House of Representatives.
JQHN G. WARWICK,
President of the Senate.

Adopted April 14, 1884.

OFFICE OF SECRETARY OF STATE,
COLUMBUS, O., *May* 9, 1884.

, JAMES W. NEWMAN, Secretary of State of the State of Ohio, do hereby certify that the foregoing general an ocal laws and joint resolutions as printed herein, are truly copied from the original olls on file in this office.

n testimony whereof, I ave hereunto subscribed my name and affixed my
[SEAL.] official seal, at Columbus, the day and year above written.

JAMES W. NEWMAN,
Secretary of State.

JUDGES OF THE COURT OF COMMON PLEAS—1884.

District.	Sub. div.	Counties.	Names and post-offices.	Term. Commenced.	Term. Expires.
1		Hamilton	Sam'l R. Mathews, Cincinnati	Nov. 1, 1883	Nov. 1, 1888
			Chas. D. Robertson, "	Nov. 1, 1883	Nov. 1, 1888
			Robert A. Johnson, "	Feb. 9, 1882	Feb. 9, 1887
			Sam'l N. Maxwell, "	Feb. 9, 1882	Feb. 9, 1887
			John S. Conner, "	Feb. 9, 1882	Feb. 9, 1887
			M. L. Buchwalter, "	Feb. 9, 1882	Feb. 9, 1887
			William L. Avery, "	Feb. 9, 1882	Feb. 9, 1887
2	1	Butler, Preble, Montgom'y, Darke	Alex. F. Hume, Hamilton	Feb. 9, 1882	Feb. 9, 1887
			Henderson Elliott, Dayton	Nov. 6, 1881	Nov. 6, 1886
			John W. Sater, Greenville	May 12, 1883	May 11, 1888
2	2	Champaign, Miami	Calvin D. Wright, Troy	Feb. 9, 1882	Feb. 9, 1887
			Wm. R. Warnock, Urbana	Nov. 3, 1879	Nov. 3, 1884
2	3	Warren, Clinton, Greene, Clarke	James M. Smith, Lebanon	Feb. 9, 1882	Feb. 9, 1887
			Azariah W. Doan, Wilmington	May 3, 1880	May 3, 1885
			James S. Goode, Springfield	May 3, 1880	May 3, 1885
			James E. Hawes, Xenia	Feb. 9, 1884	Feb. 9, 1889
3	1	Shelby, Auglaize, Mercer, Allen, Van Wert	James H. Day, Celina	Feb. 9, 1880	Feb. 9, 1885
			Charles M. Hughes, Lima	Feb. 9, 1884	Feb. 9, 1889
3	2	Paulding, Defiance, Williams	Charles A. Bowersox[1], Bryan	Dec. 8, 1883	
3	3	Fulton, Henry, Putnam	John J. Moore, Ottawa	May 10, 1884	May 10, 1889
4	1	Lucas, Ottawa, Sandusky, Erie, Huron	David H. Commager[2], Toledo	Oct. 23, 1883	Oct. 27, 1884
			Lewis H. Pike, Toledo	Nov. 4, 1883	Nov. 4, 1888
			Reuben C. Lemmon, Toledo	Feb. 9, 1880	Feb. 8, 1885
			John Mackey, Sandusky	Feb. 9, 1882	Feb. 8, 1887
			Charles P. Wickham, Norwalk	May 9, 1881	May 9, 1886
4	2	Lorain, Medina, Summit	George W. Lewis, Medina	Oct. 16, 1883	Feb. 9, 1887
			Edwin P. Green, Akron	Oct. 16, 1883	May 1, 1886
4	3	Cuyahoga	E. J. Blandin, Cleveland	Oct. 29, 1883	Nov. 1, 1885
			John W. Heisley, Cleveland	Nov. 1, 1883	Nov. 1, 1888
			Henry McKinney, "	Nov. 1, 1880	Nov. 1, 1885
			E. T. Hamilton, "	Nov. 1, 1880	Nov. 1, 1885
			Gershom M. Barber, "	Nov. 1, 1880	Nov. 1, 1885
			James M. Jones, "	Feb. 9, 1882	Feb. 9, 1887
5	1	Clermont, Brown, Adams	D. W. C. Louden, Georgetown	Feb. 9, 1882	Feb. 8, 1887
			Allen T. Cowen, Batavia	Oct. 15, 1883	Oct. 15, 1888
5	2	Ross, Highland, Fayette	Thad. A. Minshall, Chillicothe	Feb. 9, 1884	Feb. 8, 1889
			Henry M. Huggins, Hillsboro	Feb. 9, 1882	Feb. 8, 1887
			Ace Gregg, Washington C. H.	Nov. 1, 1880	Nov. 1, 1885
5	3	Franklin, Pickaway, Madison	Ed. F. Bingham, Columbus	May 11, 1883	May 10, 1888
			Hawley J. Wylie, "	Feb. 9, 1882	Feb. 9, 1887
			Eli P. Evans, "	May 6, 1883	May 6, 1888
			George Lincoln, London	Feb. 9, 1880	Feb. 9, 1885

[1] Appointed to fill vacancy, vice S. N. Owen, elected Supreme Judge.

[2] Elected to fill unexpired term of John H. Doyle.

JUDGES OF THE COURT OF COMMON PLEAS—1884—Continued.

District.	Sub. div.	Counties.	Names and post-offices.	Term.	
				Commenced.	Expires.
6	1	Licking	Samuel M. Hunter, Newark	Feb. 9, 1882	Feb. 9, 1887
		Knox	Charles H. McElroy, Delaware	Feb. 9, 1882	Feb. 9, 1887
		Delaware			
6	2	Morrow	Manuel May, Mansfield	Oct. —, 1882	Feb. 9, 1887
		Richland	Jabez Dickey, Mt. Gilead	Oct. 25, 1883	Feb. 9, 1888
		Ashland			
6	3	Wayne	Charles C. Parsons, Sr., Wooster	Feb. 9, 1882	Feb. 9, 1887
		Holmes	Wellington Stillwell, Millersburg	Feb. 4, 1883	Feb. 4, 1888
		Coshocton			
7	1	Fairfield	Silas H. Wright, Lancaster	Feb. 9, 1882	Feb. 9, 1887
		Perry	John S. Freisner, Logan	Dec. 1, 1879	Dec. 1, 1884
		Hocking			
7	2	Jackson	A. C. Thompson, Portsmouth	Feb. 9, 1882	Feb. 9, 1887
		Vinton	James Tripps, Jackson C. H.	Feb. 9, 1884	Feb. 9, 1889
		Pike			
		Scioto			
		Lawrence			
7	3	Gallia	Hiram L. Sibley, Marietta	July 6, 1883	July 6, 1888
		Meigs	Jos. P. Bradbury, Pomeroy	Feb. 9, 1882	Feb. 9, 1887
		Athens			
		Washingt'n			
8	1	Muskingum	Wm. H. Frazier, Caldwell	Feb. 9, 1882	Feb. 9, 1887
		Morgan	George L. Phillips, Zanesville	Feb. 9, 1884	Feb. 9, 1889
		Noble			
		Guernsey			
8	2	Belmont	St. Clair Kelly, St. Clairsville	Feb. 9, 1882	Feb. 9, 1887
		Monroe			
8	3	Jefferson	J. C. Hance, New Philadelphia	Feb. 9, 1882	Feb. 9, 1887
		Harrison	John S. Pearce, Cadiz	Apr. 17, 1882	Apr. 17, 1887
		Tuscarawas.			
9	1	Stark	Anson Pease, Canton	Feb. 9, 1882	Feb. 9, 1887
		Carroll	Peter A. Laubie, Salem	Nov. 1, 1880	Nov. 1, 1885
		Columbiana			
9	2	Trumbull	G. F. Arrell, Youngstown	Feb. 9, 1882	Feb. 9, 1887
		Portage	Wm. T. Spear, Warren	Oct. 31, 1883	Oct. 31, 1888
		Mahoning			
9	3	Geauga	L. S. Sherman, Ashtabula	Feb. 9, 1882	Feb. 9, 1887
		Lake	H. B. Woodbury, Jefferson	Feb. 1, 1880	Feb. 1, 1885
		Ashtabula			
10	1	Wood	Henry H. Dodge, Perrysburg	May 4, 1883	May 4, 1888
		Hancock	Geo. F. Pendleton, Findlay	Oct. 25, 1883	Feb. 9, 1885
		Seneca			
		Hardin			
10	2	Crawford	Thomas Beer, Bucyrus	Feb. 9, 1882	Feb. 9, 1887
		Marion			
		Wyandot			
10	3	Union	John A. Price, Bellefontaine	Feb. 9, 1882	Feb. 9, 1887
		Logan			

TIMES OF HOLDING COURTS IN OHIO IN 1884.

FIRST DISTRICT.

District Court.

Hamilton, 1st Monday January, 1st Monday April, 1st Monday October.

Common Pleas.

Hamilton, 1st Monday January, 2d Monday May, 1st Monday November.

SECOND DISTRICT.

District Court.

Butler, April 7; Clinton, April 21; Warren, May 5; Champaign, May 12; Montgomery, April 7; Clarke, May 19; Greene, April 7; Darke, May 5; Preble, April 21; Miami, May 5.

Common Pleas.

Butler, January 14, May 26, October 20.
Montgomery, January 7, May 19, October 20.
Darke, January 14, May 19, October 20.
Clinton, January 14, May 19, October 20.
Warren, January 14, May 26, October 20.
Clarke, January 14, May 26, October 20.
Greene, January 14, May 19, October 20.
Champaign, January 14, May 26, October 20.
Miami, January 14, May 19, November 10.
Preble, January 7, June 9, November 10.

THIRD DISTRICT.

District Court.

Allen, September 18; Auglaize, September 12; Defiance, March 24; Fulton, March 31; Henry, March 27; Mercer, September 23; Paulding, March 21; Putnam, September 9; Shelby, September 15; Van Wert, March 18; Williams, April 8.

Common Pleas.

Allen, February 4, May 12, November 17.
Auglaize, January 8, April 15, September 30.
Defiance, January 28, May 6, October 20.
Fulton, January 8, April 15, September 30.
Henry, January 29, May 6, October 21.

Mercer, February 25, June 2, November 24.
Paulding, January 8, April 15, September 30.
Putnam, February 25, June 2, November 24.
Shelby, January 7, April 14, September 29.
Van Wert, January 29, May 6, October 21.
Williams, February 5, June 2, November 24.

FOURTH DISTRICT.

District Court.

Erie, April 14; Huron, April 21; Lucas, March 10; Sandusky, April 23; Ottawa, April 24; Lorain, April 3; Medina, March 31; Summit, March 10; Cuyahoga, March 10, September 15.

Common Pleas.

Erie, January 28, May 26, October 20.
Huron, February 4, June 2, November 10.
Lucas, January 7, May 5, September 29.
Sandusky, January 2, April 28. September 29.
Ottawa, January 7, May 5, September 29.
Lorain, January 28, May 19, October 20.
Medina, January 7, May 5, September 23.
Summit, January 7, May 5, September 23.
Cuyahoga, January 7, May 5, September 15.

FIFTH DISTRICT.

District Court.

Madison, November 18; Fayette, April 4; Clermont, September 29; Franklin, March 18, September 23; Adams, September 23; Highland, March 18; Pickaway, March 24; Brown, March 25; Ross, September 23.

Common Pleas.

Adams, January 2, April 22, October 21.
Clermont, January 22, April 15, November 18.
Brown, January 22, May 13, October 21.
Highland, January 14, May 5, October 20.
Ross, January 14, May 5, October 20.
Fayette, January 14, May 5, October 20.
Franklin, January 7, April 7, October 16.
Madison, February 12, May 26, November 24.
Pickaway, January 8, April 21, October 15.

SIXTH DISTRICT.

District Court.

Delaware, May 26; Knox, June 23; Licking, June 9; Ashland, June 2; Morrow, June 30 Richland, June 9; Coshocton, June 2; Holmes, June 30; Wayne, June 23.

Common Pleas.

Delaware, January 7, March 24, September 29.
Knox, February 12, May 6, November 11.
Licking, January 14, April 7, September 22.
Ashland, March 4, September 16, November 18.
Morrow, January 21, April 21, October 20.
Richland, March 17, August 18, December 1.
Coshocton, February 11, April 21, October 20.
Holmes, January 7, March 3, September 1.
Wayne, February 4, August 25, December 1.

SEVENTH DISTRICT.

District Court.

Washington, March 24; Gallia, April 10; Scioto, April 21; Perry, September 1; Hocking, September 11; Athens, March 31; Meigs, April 7; Lawrence, April 17; Pike, September 22; Fairfield, September 5; Jackson, September 17; Vinton, September 15.

Common Pleas.

Athens, January 7, April 28, October 20.
Fairfield, January 21, April 21, October 20.
Gallia, January 21, May 5, October 20.
Hocking, February 18, May 19, November 17.
Jackson, February 18, June 2, November 24.
Lawrence, February 25, June 2, November 17.
Meigs, February 4, May 26, November 10.
Perry, March 10, June 9, December 8.
Pike, January 28, May 19, November 3.
Scioto, January 14, April 28, October 20.
Vinton, January 7, April 28, October 20.
Washington, January 28, May 19, November 10.

EIGHTH DISTRICT.

District Court.

Belmont, April 22; Jefferson, April 15; Harrison, April 9; Tuscarawas, September 16; Guernsey, September 9; Monroe, September 2; Noble, September 4; Morgan, September 23; Muskingum, September 25.

Common Pleas.

Muskingum, January 28, May 19, November 10.
Morgan, January 8, April 29, October 15.
Noble, January 15, May 6, October 15.
Guernsey, February 12, May 27, November 11.
Belmont, February 5, May 27, November 11.
Monroe, January 15, May 6, October 16.
Jefferson, February 5, May 27, November 5.
Tuscarawas, January 15, May 6, October 15,
Harrison, January 15, May 6, October 15.

NINTH DISTRICT.

District Court.

Trumbull, March 24; Portage, April 7, Lake, March 31; Geauga, March 24; Ashtabula, April 14; Mahoning, March 10; Columbiana, March 17; Carroll, March 10: Stark, April 21.

Common Pleas.

Carroll, January 7, May 5, September 22.
Stark, January 1, May 12, October 20.
Columbiana, January 28, May 19, October 20.
Mahoning, January 7, May 5, September 8.
Trumbull, February 4, June 2, October 20.
Portage, January 7, May 5, September 8.
Lake, February 11, June 9, November 24.
Geauga, January 14, May 5, October 20.
Ashtabula, January 14, May 5, October 20.

TENTH DISTRICT.

District Court.

Crawford, March 28; Hardin, November 24; Hancock, December 1; Logan, March 21; Marion, November 27; Union, March 18; Seneca, April 1; Wood, June 30, December 3; Wyandot, March 26.

Common Pleas.

Crawford, January 28, April 28, November 10.
Hardin, January 7, April 14, September 15.
Hancock, February 4, May 19, October 20.
Logan, February 11, May 19, October 20.

Marion, January 7, April 14, October15.
Seneca, February 4, May 19, October 20.
Union, January 14, April 14, September 8.
Wood, January 7, April 14, September 15.
Wyandot, February 18, May 19, September 15.

OFFICE OF THE SECRETARY OF STATE,
COLUMBUS, O., *May* 9, 1884.

I HEREBY CERTIFY that the above is correctly copied from the official lists returned to this office.

[SEAL.]

JAMES W. NEWMAN,
Secretary of State.

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